

PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Tuesday, 5 May 2015

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

Present

Members:

Wendy Mead (Chairman)	Alderman Julian Malins
Jeremy Simons (Deputy Chairman)	Andrew McMurtrie, JP
Deputy John Bennett	Hugh Morris
Henry Colthurst	Barbara Newman
Deputy Kevin Everett	Henrika Priest
Deputy Bill Fraser	Deputy Gerald Pulman
Deputy Stanley Ginsburg	Deputy Richard Regan
Alderman Peter Hewitt	Delis Regis
Wendy Hyde	Michael Welbank
Vivienne Littlechild	Mark Wheatley
Professor John Lumley	

Officers:

David Arnold	Town Clerk's Department
Jenny Pitcairn	Chamberlain's Department
Julie Smith	Chamberlain's Department
Paul Chadha	Comptroller & City Solicitor's Department
Philip Everett	Director of the Built Environment
Doug Wilkinson	Department of the Built Environment
Steve Presland	Department of the Built Environment
Jim Graham	Department of the Built Environment
Jon Averbs	Markets & Consumer Protection Department
Tony Macklin	Markets & Consumer Protection Department
Sue Ireland	Director of Open Spaces
Gary Burks	Superintendent & Registrar, City of London Cemetery & Crematorium
Esther Sumner	Open Spaces Department

1. APOLOGIES

Apologies for absence were received from Karina Dostalova, George Gillon, Deputy Brian Harris, Deputy Robert Merrett, Ann Pembroke, Deputy James Thomson and Deputy John Tomlinson.

2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

There were none.

3. **ORDER OF THE COURT OF COMMON COUNCIL**
RESOLVED – That the Order of the Court of Common Council, 23 April 2015, appointing the Committee and its Terms of Reference, be noted.
4. **ELECTION OF CHAIRMAN**
RESOLVED – That in accordance with Standing Order No 29, Wendy Mead be elected Chairman for the ensuing year.
5. **ELECTION OF DEPUTY CHAIRMAN**
RESOLVED – That in accordance with Standing Order No 30, Jeremy Simons be elected Deputy Chairman for the ensuing year.
6. **MINUTES**
RESOLVED – That the public minutes and non-public summary of the meeting held on 10 March 2015 be approved.

Matters Arising

A Member noted that the length of the 5 May 2015 agenda was far longer than the previous meeting which made it difficult to consider all reports and make an informed decision. He added that the length of the Departmental Business Plans contributed significantly to the size of the agenda so the Town Clerk and Director of Open Spaces would consult with relevant Officers to determine whether next year's three Departmental Business Plans could be considered at separate meetings.

Prudent Passage

Members were advised that the contact details for Street Environment Officers (SEOs) would be published in Ward newsletters in June 2015.

Public Conveniences

The Assistant Director of Street Scene and Strategy advised that discussions with the City of London Police would be taking place shortly regarding the issue of public urination. In response to a Member's question, he added that the number of Fixed Penalty Notices issued for this offence could be made available to Members upon request.

Community Toilet Scheme (CTS)

In response to a Member's question, the Director of Transportation and Public Realm advised that the CTS App had been completed and approved by Apple. He added that assistance on how to download the App could be provided to Members upon request.

Recycling Action Plan

The Director of Transportation and Public Realm advised that all Renew on-street recycling bins had now been removed from the City of London. He also added that a list of recyclable materials had been circulated to all City of London residents with their annual Council Tax Demand Notices.

7. **OUTSTANDING ACTIONS**

The Committee received the current list of outstanding actions.

Members noted that there was a large concentration of toilets in the Community Toilet Scheme (CTS) located in pubs and bars but numbers for each Ward could not be identified in the list of CTS members. The Town Clerk agreed to circulate a CTS distribution map to all Committee Members.

In response to a Member's question, the Assistant Director Street Scene and Strategy advised that the standard and size of CTS signage would be improved as part of the 2015/16 Service Based Review programme.

RESOLVED – That the list of outstanding actions be noted.

8. **2015-18 BUSINESS PLAN - OPEN SPACES DEPARTMENT**

The Committee considered a report of the Director of Open Spaces that sought approval to the Departmental Business Plan 2015-18. The Open Spaces Business Manager advised that the City of London Cemetery and Crematorium would be focussing on energy efficiency, a fleet review, and the Shoot Project during this period.

Members noted the substantial size of the report so the Director of Open Spaces advised that a reduction in report size for this Committee would be looked into in consultation with the Town Clerk.

In response to a Member's question, the Superintendent of the Cemetery and Crematorium advised that he was aware of alternative body disposal methods such as resomation and aquamation but these methods were either difficult to implement or not permitted under current legislation. The Director of Open Spaces added that briefing note on these methods could be circulated to the Committee.

RESOLVED – That the Open Spaces Business Plan 2015-18 be approved.

9. **2015-18 BUSINESS PLAN - DEPARTMENT OF THE BUILT ENVIRONMENT**

The Committee considered a report of the Director of the Built Environment that sought approval to the Departmental Business Plan for 2015-18. Members were advised that the objectives of the Business plan were to provide an integrated service to City developers and occupiers from pre-construction to demolition; to improve external communications and actively engage with City of London residents, worker and visitors; to manage all activities and services that relate to the City of London's streets; and to respond to changes in demand for and usage of the City of London's streets and street scene.

The Director of the Built Environment advised that the 2015/16 target to increase the total percentage of household waste recycled was 45%, not 43%. He added that the number of household recyclable items needed to be increased to ensure a reduction to the amount of incinerated household waste.

Members noted the impressive work carried out by Officers across the Department of the Built Environment during 2014/15.

RESOLVED – That the Department of the Built Environment Business Plan 2015-18 be approved.

10. **HAZARDOUS WASTE COLLECTION AND DISPOSAL SERVICE UPDATE**
The Committee received a report of the Director of the Built Environment regarding the London-wide Hazardous Waste Collection and Disposal Service.

RESOLVED – That the report be noted.

11. **INTRODUCTION OF BODY WORN VIDEO FOR STREET ENVIRONMENT OFFICERS**

The Committee considered a report of the Director of the Built Environment that sought approval to the introduction of Body Worn Video (BWV) for use by Street Environment Officers (SEOs) who performed a key role in ensuring that the cleansing of the City of London's streets was maintained to a high standard and that businesses disposed of their waste legally.

In response to Members' question's regarding safeguarding, the Assistant Director of Street Scene and Strategy advised that the introduction of the BWV equipment was compliant with human rights and data protection guidelines. A protocol had been created whereby recordings were incident-specific; persons receiving Fixed Penalty Notices would be informed verbally that they were being filmed by the BWV equipment. He added that non-evidential recording footage would be deleted after 30 days but footage relating to appeals could be kept longer then deleted when the case was complete.

RESOLVED – That:-

- a) The implementation of the use of Body Worn Video cameras from May 2015 be approved; and
- b) The Committee receive a further report following six months of implementation to review the effectiveness and impact of the equipment.

12. **AMEY CONTRACT ROYALTY NEGOTIATIONS (TO FOLLOW)**

This report of the Director of the Built Environment was considered at item 25 in the Non-Public part of the agenda by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

13. **MARKETS & CONSUMER PROTECTION BUSINESS PLAN 2014-17: PROGRESS REPORT (PERIOD 3)**

The Committee received a report of the Director of Markets and Consumer Protection that provided an update on progress against the key performance indicators (KPIs) and objectives outlined in the Business Plan of the Port Health and Public Protection Division (PH&PP) of the Department of Markets and Consumer Protection (M&CP), for Period 3 (December-March) of 2014-15.

RESOLVED – That the report be noted.

14. **2015-18 BUSINESS PLAN - MARKETS & CONSUMER PROTECTION DEPARTMENT**

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval to the 2015-18 Business Plan of the City of London Corporation's Port Health and Public Protection Service.

RESOLVED – That the 2015-18 Port Health and Public Protection Business Plan be approved.

15. **MESSAGE AND SPECIAL TREATMENT FEES 2015/16**

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval to the 2015/15 fees for Massage and Special Treatment Licences.

The Comptroller and City Solicitor advised Members of the Supreme Court Decision in relation to Hemming vs. Westminster City Council. Members were advised that the Supreme Court concluded on 29 April 2015 that fee schemes could include the costs of enforcement against un-licensed premises as part of a separate fee. The decision to include administration, procedural and enforcement costs into one fee had been deferred to the European Court of Justice.

In response to a Member's question, the Comptroller and City Solicitor advised that the provision of Fish Pedicures could form part of a Massage and Special Treatment Licence but the processes must meet industry standards.

In response to an additional Member's question, the Director of Port Health and Public Protection advised that enforcement officers would visit a potentially un-licensed massage parlour on Middlesex Street, E1.

RESOLVED – That the Massage and Special Treatment fees for 2015/16 be approved.

16. **STREET TRADING FEES 2015/16**

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval to the 2015/16 Street Trading Licence fees.

RESOLVED – That the Street Trading Licence fees for 2015/16 be approved.

17. **NOISE STRATEGY UPDATE**

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval to the City of London Corporation Noise Strategy review process and action plan.

In response to a Member's question, the Director of Port Health and Public Protection advised that the consultation process for the 2016-2020 Noise Strategy would include residents and Members as well as being published on the City of London Corporation website.

In response to a Member's question regarding the night time ban on unloading outside residential blocks, the Directors of Port Health and Public Protection and the Built Environment advised that the SEOs, who worked 24 hours a day, had been trained on night time noise issues and they had attended the area in the Member's ward seven nights a week until the issue was resolved.

A Member also noted that she had been advised that appropriate materials had been deployed to suppress noise at local building sites but the works still produced loud noises throughout the day. The Director of Port Health and Public Protection advised that all work should be undertaken in accordance with the City's code of practice, but that any problem areas could be investigated and complainants provided with recording equipment if necessary.

RESOLVED – That:-

- a) the focussed revised action plan for 2015/16 be approved;
- b) the City Noise Strategy be reviewed, revised and consulted upon in the next year to reflect current concerns; and
- c) the City Noise Strategy be published next year considering the period 2016 – 2020 to align with the City Air Quality Strategy 2015 -2020.

18. HEALTH & SAFETY INTERVENTION PLAN 2015/16

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval to the Health and Safety Intervention Plan 2015-16.

RESOLVED – That the Health and Safety Intervention Plan 2015-18 be approved.

19. 2015-2016 FOOD SERVICE ENFORCEMENT PLANS FOR THE CITY OF LONDON AND PORT HEALTH AUTHORITY

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval to the City of London and London Port Health Authority Food Safety Enforcement Plans.

RESOLVED – That:-

- a) the City of London Food Service Enforcement Plan 2015/16 be approved; and
- b) the London Port Health Authority Food Service Enforcement Plan 2015/16 be approved.

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

There were three questions from Members in relation to the work of the Committee, as follows:

In response to a Member's question regarding a policy for the importation of alien species, the Director of Port Health and Public Protection advised that staff at the Heathrow Animal Reception Centre worked closely with the UK Border Force to seize illegal imports in line with Defra and EU policies. For instance, staff were currently working alongside the Border Force on an

investigation into the illegal importation of puppies. The Member added that the importation of legal alien species for entertainment purposes should be discouraged.

In response to a Member's question regarding air quality, the Director of Port Health and Public Protection advised that the final City of London Air Quality Strategy 2015-2020 would be submitted and considered at the next Committee meeting.

In response to a Member's question regarding street trading, the Comptroller and City Solicitor advised that the City of London (Various Powers) Act 2013 enabled Officers to on-the-spot Fixed Penalty Notices and allowed the seizure of goods sold illegally. The Director of Port Health and Public Protection added that occasional street trading licences can be issued for a period of up to 21 days. These were usually issued during specific events within the City of London and Officers carried out regular checks during such events to prevent un-licensed street trading.

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

The Committee received a presentation from Keep Britain Tidy regarding the City Corporation's Local Environmental Quality Survey results for 2014/15. Members were advised that the survey consisted of 900 sites split across three tranches during the year. NI195-style results were provided for four classifications: litter, detritus, fly-posting, and graffiti. The results within the City of London for each classification were considerably better than both the national and London benchmark.

Members noted the excellent results and suggested that all A-Boards should be surveyed next year to determine obstruction trends. Despite the low number of instances found during the survey, a Member added that he had witnessed a recent increase in fly-posting within his Ward.

22. **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 the Schedule 12A of the Local Government Act.

23. **NON-PUBLIC MINUTES**

RESOLVED – That the non-public minutes of the meeting held on 10 March 2015 be approved.

24. **DEBT ARREARS - PORT HEALTH AND ENVIRONMENTAL SERVICES PERIOD ENDING 31 MARCH 2015**

The Committee received a joint report of the Director of the Built Environment, Director of Markets and Consumer Protection, and Director of Open Spaces that informed Members of debt arrears as at 31 March 2015.

RESOLVED – That the report be noted.

25. **CONTRACT VARIATION: REFUSE COLLECTION, STREET CLEANSING, VEHICLE MAINTENANCE AND ANCILLARY SERVICES CONTRACT**

The Committee considered a report of the Director of the Built Environment that sought approval to a set of variations to the Waste Collection, Street Cleansing, Vehicle Maintenance and Ancillary Services Contract awarded for a period of eight years from October 2011.

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

There were none.

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

There was none.

The meeting closed at 12.55 pm

Chairman

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