

## **PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE**

**Tuesday, 22 November 2016**

### **Minutes of the meeting of the Port Health & Environmental Services Committee held at the Guildhall EC2 at 11.30 am**

#### **Present**

##### **Members:**

Wendy Mead (Chairman)	Vivienne Littlechild
Jeremy Simons (Deputy Chairman)	Alderman Julian Malins
Keith Bottomley	Andrew McMurtrie
Dennis Cotgrove	Barbara Newman
Peter Dunphy	Ann Pembroke
Deputy Bill Fraser	Henrika Priest
Anne Fairweather	Deputy Richard Regan
George Gillon	Delis Regis
Deputy Stanley Ginsburg	Deputy John Tomlinson
Graeme Harrower	John Scott
Alderman Peter Hewitt	Michael Welbank (Chief Commoner)
Wendy Hyde	Philip Woodhouse

##### **Officers:**

David Arnold	-	Town Clerk's Department
Jenny Pitcairn	-	Chamberlain's Department
Julie Smith	-	Chamberlain's Department
Paul Chadha	-	Comptroller & City Solicitor's Department
Carolyn Dwyer	-	Director of Built Environment
Steve Presland	-	Department of the Built Environment
Jim Graham	-	Department of the Built Environment
Jon Averns	-	Department of Markets & Consumer Protection
Tony Bride	-	Department of Markets & Consumer Protection
Kelly Wilson	-	Department of Markets & Consumer Protection
Nia Morgan	-	City Surveyor's Department

#### **1. APOLOGIES**

Apologies for absence were received from Deputy John Absalom, Karina Dostalova, Hugh Morris, Deputy James Thomson, and Mark Wheatley.

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

There were none.

#### **3. MINUTES**

**RESOLVED** – That the public minutes and non-public summary of the meeting held on 20 September 2016 be approved.

## **Matters Arising**

### **Responsible Procurement**

The Assistant Director of Cleansing Operations advised that a charity paper and plastic cup recycling service called Simply Cups would be launching a campaign to recycle 20,000 coffee cups from within the City of London during March 2017. The Assistant Director was hopeful of some positive publicity for the campaign and would report the outcome to the Committee during 2017.

### **Street Cleansing and Refuse Collection Contract**

The Assistant Director of Cleansing Operations advised that the contractor were still under-performing against the Key Performance Indicators (KPIs) in their contract but a Recovery Action Plan was in place and vacant posts were being recruited for and filled by new staff. The Department would continue to provide corporate support to the contractor and financial assessment of the contract would be reported to the next Committee meeting, as some monies were being withheld from the contractor due to the performance issues. In response to a Member's question, the Assistant Director added that the financial sanctions being placed on the contractor were aimed at encouraging them to improve their performance. The contract was due for renewal during 2019 with a contract renewal offer from the City Corporation due by December 2018, which would include specific KPIs to maintain good performance. Members ended the discussion by thanking the contractor and staff from the Department of the Built Environment for the quick and efficient cleaning up of the Guildhall Yard following the recent Lord Mayor's show.

### **Waste Collection**

In response to a Member's question, the Assistant Director of Cleaning Operations advised that unwanted furniture items could be collected from residents' doorsteps for a fee or from communal collection areas within housing estates free of charge. Re-usable furniture in good condition was offered to a charity, who restored the items and sold them at discounted rates. The Assistant Director added that a separate specialist company offered a collection and recycling service for electrical goods.

## **4. OUTSTANDING ACTIONS**

The Committee received the current list of outstanding actions. The Director of Transportation and Public Realm advised that, with shredding increasingly taking place within loading bays and on City streets, seven mobile shredding vehicles had been removed from the streets and would no longer operate within the City of London. A Non-Disclosure Agreement had been made for Shred-It's customer database so that the likely locations of mobile shredding activity within the City of London could be identified. An update regarding the outcome of the next meeting with Shred-It, due to take place during December 2016, would be provided at the next Committee meeting.

In response to a Members' questions regarding noise from the London Underground at and around the Barbican, the Director of Port Health and Public Protection advised that residents should continue to complain to Transport for London and also the City Corporation's Noise Pollution Team whenever they

experienced problems with noise. The Chairman advised that she would contact London Underground again asking for the issues raised by this Committee to be addressed and the Director of Port Health and Public Protection added that he would discuss the issues further with the relevant Ward Members. A Member noted that the possibility of compensation in the form of rates reductions for affected residents should be looked into if the noise problems persisted into the future.

**RESOLVED** – That the outstanding actions be noted.

**5. REVENUE AND CAPITAL BUDGETS 2017/18**

The Committee considered a joint report of the Chamberlain, Director of the Built Environment, Director of Markets and Consumer Protection, and Director of Open Spaces that sought approval to the latest revenue budget for services overseen by the Committee for 2016/17 and the provisional revenue budget for 2017/18 for subsequent submission to the Finance Committee.

**RESOLVED** – That:-

- a) the latest 2016/17 revenue budget be noted;
- b) the provisional 2017/18 revenue budget be approved for submission to the Finance Committee; and
- c) the Chamberlain be authorised to revise these budgets for changes to the Additional Works Programme, Building Repairs and Maintenance contract and in respect of recharges.

**6. DEPARTMENT OF THE BUILT ENVIRONMENT DELEGATED POWERS UPDATE**

The Committee considered a report of the Director of the Built Environment that sought approval to an amendment to the Scheme of Delegations to Officers to include some new and revised delegations to the Director of the Built Environment and District Surveyor.

**RESOLVED** – That the new and updated delegations to Chief Officers set out in the updated Scheme of Delegations be approved for consideration by the Court of Common Council.

**7. MIDDLESEX STREET AREA ENHANCEMENT - PHASE 2**

The Committee considered a joint report of the Director of the Built Environment and the Director of Markets and Consumer Protection regarding the progress of Phase 2 of the Middlesex Street Area works to enhance Petticoat Lane Market and the central section of Middlesex Street between Sandys Row and St Botolph Street.

The Director of Transportation and Public Realm advised that the consultants' recommendations for additional public toilets would be fed into the next Committee report which would present options for Members' consideration. In response to Members' concerns regarding public urination caused by a perceived lack of toilets, the Chairman advised that it usually occurred late at night when coin-operated public conveniences, Urilifts, and Community Toilet Scheme toilets were all available to members of the public.

Members suggested that an educational campaign was required to discourage public urination by highlighting the costs to the local authority. In response to a Member's question, the Assistant Director of Cleansing Operations advised that the local authority was responsible for cleaning if public urination occurred in the public realm but property and land owners were responsible if it occurred on private land. However, if it became a regular problem on private land then land owners could report it to the Cleansing Team who would in turn inform the City of London Police about the problem area.

The Committee noted that the relevant Members would continue to be consulted as part of the project's Working Group.

**RESOLVED** – That:-

- a) the progress of Phase 2 of the Middlesex Street Area Enhancement be noted; and
- b) The funding of £50,000 required to reach Gateway 3 , to be funded from Section 106 contributions relating to the 5 Broadgate Development (Section 106 Agreement dated 29 July 2011), be approved.

**8. AIR QUALITY ANNUAL STATUS REPORT**

The Committee considered a report of the Director of Markets and Consumer Protection that provided details of the progress being made against the City Corporation's Air Quality Strategy 2015-20 and sought approval to a delegated authority request concerning a response to the Mayor of London's current consultation on new proposals to improve air quality. The Committee requested that the draft response to the consultation be circulated to all Committee Members for an opportunity to comment before the final version was considered by the Town Clerk in consultation with the Chairman and Deputy Chairman.

**RESOLVED** – That:-

- a) The air quality annual status report be noted; and
- b) Authority be delegated to the Town Clerk, in consultation with the Chairman and Deputy Chairman, to consider the final response to the Mayor of London's consultation on new proposals to improve air quality.

**9. CONSULTATION ON THE CITY OF LONDON CORPORATION'S AIR QUALITY SUPPLEMENTARY PLANNING DOCUMENT**

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval to the draft City of London Corporation Air Quality Supplementary Planning Document (SPD) for public consultation. Members noted that the SPD would provide guidance for developments regarding the implementation of air quality policies in the City Corporation's Local Plan 2015. The Committee agreed that the public consultation period for the draft SPD would be extended to eight weeks during February – April 2017.

**RESOLVED** – That the draft SPD be approved for a eight week public consultation period.

## **10. 44TH CITY OF LONDON THAMES FISHERY RESEARCH EXPERIMENT 2016**

The Committee considered a report of the Director of Markets and Consumer Protection that provided details of the 44<sup>th</sup> City of London Thames Fishery Research Experiment held in October 2016 and sought approval of the 45<sup>th</sup> Thames Fishery Research Experiment to take place in 2017.

In response to a Member's question regarding the low number of Sole caught, the Director of Port Health and Public Protection advised that the Environment Agency have a number of Bass and Sole nurseries to maintain and improve species numbers and they carry out regular surveys along the Thames to monitor numbers.

**RESOLVED – That:-**

- a) The outcome of the 44<sup>th</sup> City of London Thames Fishery Experiment be noted;
- b) The grant from City's Cash to partially fund the 45<sup>th</sup> event in 2017 be approved; and
- c) The 45<sup>th</sup> City of London Thames Fishery Experiment, to take place in 2017, be approved.

## **11. COST RECOVERY: FOOD HYGIENE RATING SCHEME RE-INSPECTION REQUESTS**

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval to the introduction of a charging regime for one part of the Food Hygiene Rating System using powers available in the Localism Act.

**RESOLVED – That:-**

- a) the report and the basis for the proposed changes to the operation of Food Hygiene Rating System in the City of London be noted; and
- b) the introduction of a flat fee charge of £210 for re-rating inspections on a full-cost recovery basis, with effect from 1 January 2017 and to be reviewed annually thereafter, be approved.

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

There were four questions, as follows:-

### Street Trading

In response to a Member's question regarding illegal street trading on Middlesex Street at weekends, the Director of Port Health and Public Protection advised that the Licensing Team were out inspecting throughout the City of London on the previous Sunday. He added that he would meet with the inspection officers and the Member to discuss problem areas and contact the London Borough of Tower Hamlets to establish their approach to street traders on and around Middlesex Street.

#### Commercial Waste

In response to a Member's concerns regarding locked wastebins for commercial waste being left unlocked by waste collectors, the Assistant Director of Cleansing Operations advised that this would be raised with the contractor who had been previously instructed to ensure their staff kept the wastebins locked to avoid over-filling. He added that the estate officers would also be made aware so that the commercial waste area would be kept secure to ensure that access to the lockable wastebins would be kept only to the businesses who paid for the service.

#### Massage and Special Treatments Parlour

In response to a Member's concerns regarding a Massage Parlour that he suspected was operating illegally, the Director of Port Health and Public Protection advised that officers from the City of London Police, Environmental Health and the Fire Brigade had recently inspected the premises, including a search of their commercial wastebins, and no evidence of illegal activity was found. He added that a further visit could be arranged if new evidence to suggest illegal activity was presented to Environmental Health.

#### Commercial Food Waste

In response to a Member's question, the Assistant Director of Cleansing Operations advised that food waste was collected from commercial premises and businesses were warned if food waste was found outside and around bags presented for collection.

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

There was none.

### **14. EXCLUSION OF THE PUBLIC**

**RESOLVED** – That under Section 100A(4) 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 1 of Schedule 12A of the Local Government Act.

### **15. NON-PUBLIC MINUTES**

**RESOLVED** – That the non-public minutes of the meeting held on 20 September 2016 be approved.

### **16. DEPARTMENT OF THE BUILT ENVIRONMENT SERVICE BASED REVIEW PROGRESS REPORT**

The Committee received a report of the Director of the Built Environment regarding the savings made within the Department of the Built Environment as part of the Service Based Review.

**RESOLVED** – That the very satisfactory progress being made by the Department of the Built Environment in achieving its SBR savings be noted.

### **17. PORT HEALTH OFFICES, RIVERSIDE ROAD, CHARLTON - NEW LEASE**

The Committee received a joint report of the City Surveyor and the Director of

Markets and Consumer Protection that sought approval to a new lease of Port Health offices.

**18. DEBT ARREARS - PORT HEALTH AND ENVIRONMENTAL SERVICES PERIOD ENDING 30 SEPTEMBER 2016**

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 the arrears of invoiced income outstanding as at 30 September 2016.

**RESOLVED** – That the report be noted.

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

There were none.

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

The Chairman congratulated the Department of Markets and Consumer Protection for their recent Noise Abatement Society Soundscape Award for the City of London Noise Strategy. This and any other awards would be reported to the next appropriate Court of Common Council meeting.

The Chairman also reminded the Committee that the annual Committee Dinner would be held at Trinity House on Tuesday 10 January 2017.

**The meeting closed at 12.25 pm**

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Chairman

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