

## PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Tuesday, 4 July 2017

Minutes of the meeting of the Port Health & Environmental Services Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Tuesday, 4 July 2017 at 1.45 pm

### Present

#### Members:

Jeremy Simons (Chairman)	Graeme Harrower
Deputy Keith Bottomley (Deputy Chairman)	Deputy Tom Hoffman
Deputy John Absalom	Deputy Wendy Hyde
Caroline Addy	Vivienne Littlechild
Alexander Barr	Andrew McMurtrie
Adrian Bastow	Andrien Meyers
Peter Bennett	Deputy Joyce Nash
Tijs Broeke	Henrika Priest
Peter Dunphy	Deputy Elizabeth Rogula
Mary Durcan	John Scott
Anne Fairweather	Mark Wheatley
Alderman David Graves	

#### Officers:

Sacha Than	-	Town Clerk's Department
Carl Locsin	-	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
Jim Graham	-	Department of Built Environment
Steve Presland	-	Department of Built Environment
Richard Steele	-	Department of Built Environment
David Smith	-	Markets & Consumer Protection Department
Jon Averbs	-	Markets & Consumer Protection Department
Ruth Calderwood	-	Markets & Consumer Protection Department
Peter Davenport	-	Markets & Consumer Protection Department
Donald Perry	-	Markets & Consumer Protection Department
Steve Playle	-	Markets & Consumer Protection Department
Colin Buttery	-	Director of Open Spaces
Warren Back	-	City Surveyor's Department
Nia Morgan	-	City Surveyor's Department

The Chairman welcomed the Chief Commoner who was in attendance at the meeting.

1. **APOLOGIES**

Apologies for absence were received from Deputy Henry Jones, Pooja Suri Tank, and Mark Wheatley.

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

Tijs Broeke declared an interest due to working for Ford Motor Company.

3. **MINUTES**

**RESOLVED** – That the public minutes and non-public summary of the meeting held on 9 May 2017 be approved.

**Vote of Thanks:** At this point in proceedings, the Chairman called upon Deputy Joyce Nash, to deliver a Vote of Thanks to the immediate past Chairman. Deputy John Absalom, seconded the motion.

**RESOLVED UNANIMOUSLY** – That the Members of the Port Health and Environmental Services Committee wish to record their sincere thanks to:

WENDY MEAD, CHIEF COMMONER

who has shown enthusiasm and dedication for the duration of her time as Chairman since May 2014.

During her tenure as Chairman of the Committee, Wendy oversaw the implementation and development of various schemes aimed at improving the quality and cleanliness of streets across the City of London. The fruits of this labour have been officially recognised across the waste and cleansing industry and our services have received external recognition for our Public Conveniences, Street Environment and Enforcement services, Green Fleet Management, Cycle Safety, Recycling and various innovative, high profile campaigns.

However, the ones which stand out were the hotly contested Chartered Institute of Waste Management's outright National Winner Clean Britain Awards (2015) and the Keep Britain Tidy Local Authority of the Year Award (2016). Wendy was with us at the award ceremonies and it was clear that along with the rest of our group she was very proud of the recognition the City of London had received.

Reinforcing this external recognition and our own positive view of our services, there has also been some hard evidence from various litter surveys conducted by Keep Britain Tidy, who have inspected our streets and consistently found them to be cleanest in the UK.

Wendy has also overseen a continued increase in throughput at the Heathrow Animal Reception Centre that has resulted in a corresponding rise in income to record levels.

She has supported the Trading Standards Team by attending the annual conference and hosting national workshops at Guildhall. *Operation Broadway*, the ground-breaking project to tackle investment fraud, jointly headed with the City of London Police, deservedly won a Police award, and the scheme has since been expanded across London.

More recently, Wendy opened the enlarged and refurbished Port Health office at London Gateway, the new container terminal on the Thames that is the most advanced and fastest growing port in the UK.

In addition to all this, Wendy has been a dedicated supporter of the Port Health Rowing Team both in ceremonial and competitive events, encouraging them to trounce the Port of London Authority in many races!

And so in taking leave of Wendy Mead as their Chairman, Members of this Committee wish to thank her for her service and excellent leadership and to wish her every possible success in the future.

The Chief Commoner thanked Members of the Committee for the three years in which she was Chairman noting the amazing work carried out to improve life for people in the City of London and along the river.

Following the Port Health and Environmental Services Committee's Annual River Inspection and visit to the Heathrow Animal Centre on 30 June 2017, the Chairman thanked Robert Quest, Assistant Director Animal Health and Welfare and his team for hosting Members of the Committee and Cassandra Goddard for her work in arranging the logistics for the day. The Chairman explained that it was an informative and useful day for Members.

## **Matters Arising**

### **Coffee Cup Recycling**

A Member raised the point that Members of the Court of Common Council were still not using the coffee cup recycling facilities in the Members' Room and in some instances were not emptying their cups before disposal. It was asked if signage could be posted in the Members' Room to address this issue. In response, the Chairman explained that a note had been circulated to Members to ask that they use the recycling facilities and asked Officers to look into the signage in the Members' Room.

### **Massage Parlours and Sex Establishments**

The Director of Markets and Consumer Protection explained that further to the report submitted to the May meeting of the Port Health and Environmental Services Committee on action taken against non-compliant massage parlours and sex establishments, four of six premises had been inspected thus far, and of those four premises, one would be monitored closely over the coming months.

In response to the Chairman's request for an update on the premises owned by the City Corporation, and were in breach of a covenant in their lease, the Comptroller and City Solicitor explained that a forfeiture notice had been served

on the tenant requiring compliance, and that steps were being taken to monitor the situation.

#### 4. **OUTSTANDING ACTIONS**

The Committee received the current list of outstanding actions.

##### Noise Pollution from the London Underground

The Director of Port Health and Public Protection explained that a meeting with TfL and Ward representatives had taken place, during which ten questions were asked by the Barbican Association. It was reported that there had been some improvement in noise levels and the expectation was that these improvements would continue, however some aspects would not be addressed until 2023 and further meetings would be taking place with TfL.

The Director of Port Health and Public Protection explained that an update note from the meeting would be circulated to Members of the Barbican Association. In response to a request from the Chairman, it was agreed that this note would also be sent to the Members of the Port Health and Environmental Services Committee.

##### Impact of Brexit

A Member raised the point that it had been confirmed at the May meeting of the Committee that a report on the impact of Brexit would be brought before the Committee at its September meeting and asked that this be added to the list of outstanding actions.

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

#### 5. **WARDMOTE RESOLUTION**

The Committee considered a resolution from the Grand Court of Wardmote in respect of poor air quality in the Ward of Dowgate and across the City.

The Director of Port Health and Public Protection confirmed that a report would be produced and brought before Members at the September meeting, and following this would be sent to the Ward of Dowgate. The report would include information from the air quality Annual Status Report, together with monitoring results from both within Dowgate and the surrounding area. Members agreed it would be useful for Nomura to be invited to the September meeting of the Committee.

**RESOLVED** – That the Committee receive the resolution from the Grand Court of Wardmote.

#### 6. **INTRODUCTION TO THE AMEY MANAGER**

The Interim Account Director for AMEY, Richard Yates gave a presentation to the Committee on the challenges and problems encountered over the past twelve months with the City's cleansing contract and future plans to resolve these issues.

The Interim Account Manager sought to reassure Members that although there had been failings in the past year due to cost cutting measures within AMEY, recent improvements had been made and in May 2017, 11 of the 12 KPIs had been met. The Interim Account Manager explained to Members that the contract with the City Corporation was extremely important to AMEY and they were committed to ensuring performance would not suffer.

In response to Members' questions, the Interim Account Director confirmed the following:

- That replacement brooms had been ordered thus ensuring that quality of equipment used was not compromised.
- That the one outstanding KPI was the most demanding of the targets and required a number of contingency plans in place in order for it to be achieved.
- That although he had joined AMEY in a temporary capacity in order to address the recent failings, it was hoped that he would later join the team permanently and that there would not be any further issues.

The Chairman thanked the Interim Account Director for demonstrating AMEY's commitment to their contract with the City Corporation.

**RESOLVED** – That the Committee note the Presentation.

**7. PORT HEALTH & PUBLIC PROTECTION BUSINESS PLAN 2017-2020**

The Committee considered a report of the Director of Markets and Consumer Protection which sought approval of the 2017-2020 Business Plan of the City of London's Port Health and Public Protection Division.

**RESOLVED** – That the Committee approve the Port Health and Public Protection Business Plan 2017-2020 including the updated 'Summary Risk Register' at Appendix A.

**8. PUBLICATION OF THE CITY OF LONDON CORPORATION'S AIR QUALITY SUPPLEMENTARY PLANNING DOCUMENT**

The Committee considered a report of the Director of Markets and Consumer Protection which sought approval of the City of London Corporation's Air Quality Supplementary Planning Document (SPD), new supporting SPD Consultation and Adoption Statements.

In response to a Member's question on ensuring that the air quality measures are adopted by those carrying out building work within the Square Mile, the Director of Markets and Consumer Protection explained that whilst the team do not carry out physical inspections of the construction sites, compliance is checked during the construction phase. The Chairman suggested that this question be tabled at the next Planning and Transportation meeting.

**RESOLVED** – That the Committee:

- a) approve the amended SPD and new supporting SPD Consultation and Adoption Statements, subject to any comments received; and

- b) recommend to the Planning and Transportation Committee that the SPF is adopted.

9. **ILLEGAL STREET TRADING**

The Committee received a report of the Director of Markets and Consumer Protection which sought approval on an action plan to stop illegal street traders. It was explained that there had been an increase in violence from illegal street traders when asked to cease their activities and this has resulted in a need for police assistance.

The Comptroller and City Solicitor explained that counsel's opinion had been sought to identify effective enforcement options available to the City when dealing with persistent illegal street traders. There were three options available to the City Corporation:

- Criminal behaviour orders
- Anti-social behaviour injunctions
- Prohibitory injunctions

The Comptroller and City Solicitor outlined the three options and explained that whilst the most appropriate form of enforcement would be dependent on the relevant facts in each individual case, criminal behaviour orders were the most cost effective method and would be adopted wherever possible.

A Member reported their concerns on the recent violence carried out by illegal street traders using an example of assault carried out in the Ward of Bridge and Bridge Without and added that there may be an element of organised crime associated with these traders such as human trafficking and funding organised crime. It was noted that the Council of Westminster had eradicated illegal street trading by introducing a number of measures to tackle this behaviour.

The Chairman explained that a police presence is required when confronting illegal street traders and with recent events within London requiring police resources, the traders and illegal ice cream vans were taking advantage of this situation by increasing their numbers. The Chairman confirmed that police resources were needed to address this issue, particularly in light of the recent escalation of violence and asked that a note be sent to the Police Committee to request assistance from the City of London Police.

In response to a Member's question on the use of signage to warn tourists and other persons on illegal street trading and whether this could be expedited and moved from the long term to short term actions, the Director of Port Health and Public Protection explained that although the current focus was on direct action, this would be looked into, as would the use of leafleting.

The Director of Port Health and Public Protection agreed to provide an oral update on this area at the September meeting and a written report for the November meeting.

**RESOLVED** – That the Committee agree:

- a) the recommended course of action detailed in paragraph 30 of the report before Members;
- b) and that a note of this discussion be sent to the next meeting of the Police Committee.

10. **CEMETERY & CREMATORIUM PERFORMANCE 2016/17**

The Committee considered a report of the Director of Open Spaces which updated Members on the performance of the Cemetery and Crematorium Performance 2016/17.

In response to Members' questions, the Director of Open Spaces explained:

- That the IT issues reported had improved over the past three months.
- That the number of burials had increased slightly over the previous year.
- That the Cemetery has an open approach with regards to funeral arrangements and it is open to all regardless of religion, the Superintendent and Registrar at the Cemetery endeavours to remain aware of different funerary offers in the market and strives to offer similar services within the cemetery.
- That the team try to remain flexible in their approach, for example offering a range of burial times.
- That the cemetery offers an open day on an annual basis.
- In order to address future capacity, an area of land has recently been converted to provide burial space for the coming decades. The cemetery also offers re-use of sites older than 75 years which is an innovative way of working.
- That a request would be made via the Gateway process to replace the cremator units

A Member explained that a Fund Manager had recently been speaking to a number of London Boroughs in relation to gathering information on their burial data and this may be of interests to officers.

The Chairman noted that there was considerable interest in the operation of the Cemetery and Crematorium and asked that a visit be organised in the autumn for Members of the Committee.

**RESOLVED** – That the Committee note the report.

11. **DEPARTMENT OF THE BUILT ENVIRONMENT (CLEANSING SERVICES) BUSINESS PLAN PROGRESS REPORT FOR PERIOD 3 (DECEMBER - APRIL), 2016/17**

The Committee considered a report of the Director of the Built Environment which set out progress made during December 2016 – April 2017 against the Department of the Built Environment Business Plan, and updated the Committee on the 2016/17 year end outturn position for the Department of the Built Environment services covered by the Committee.

The Chairman congratulated the officers who had received the enforcement officer of the year award from Keep Britain Tidy.

**RESOLVED** – That the Committee note the report.

12. **SQUARE MILE COFFEE CUP CHALLENGE UPDATE**

The Committee considered a report of the Director of the Built Environment which set out the results of the Cleansing Services' campaign regarding the recycling of disposable coffee cups during April 2017. The Director of Cleansing reported that the half a million target had been achieved in April, and the campaign now has a second target of five million cups by the end of 2017.

In response to a Member's question on whether recycling bags could be made available to Barbican residents for garden waste, the Director of Cleansing agreed to look into this.

**RESOLVED** – That the Committee note the report.

13. **AIR QUALITY ANNUAL STATUS REPORT**

The Committee considered a report of the Director of Markets and Consumer Protection which set out the statutory annual status report demonstrating progress in relation to air quality, the full report had been placed in the Members' Room.

In response to Members' questions, the Director of Markets and Consumer Protection confirmed the following:

- That one would expect a decrease in NO<sub>2</sub> levels following the removal of all motor traffic except buses from the Bank Junction area and further information in relation to the monitoring results would be provided in September to the Committee.
- That the levels of NO<sub>2</sub> are lower in areas away from the roads, but the results of data from road-sides are typical of the City and there are a number of plans in place to improve air quality.

**RESOLVED** – That the Committee note the report.

14. **REVENUE OUTTURN 2016/17**

The Committee received a joint report of the Chamberlain, the Director of the Built Environment, the Director of Markets and Consumer Protection, and the Director of Open Spaces which compared the revenue outturn for the services overseen by the Committee in 2016/17 with the final budget for the year.

**RESOLVED** – That the Committee note the report and the proposed carry forward of underspendings to 2017/18.

15. **REPORT OF ACTION TAKEN**

The Committee received a report of the Town Clerk which advised Members of action taken by the Town Clerk, in consultation with the Chairman and Deputy Chairman, since the last meeting of the Committee, in accordance with Standing Order No. 41(b).

Members praised the content of the report, but asked that the correct etiquette when addressing letters be followed in future.



**RESOLVED** – That the Committee note the report.

16. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

The following questions were raised by Members of the Committee:

Saturday Morning Working

A Member reported that there had been recent noise disturbances caused by Saturday morning working and asked whether the Barbican Association had received the copy of the current consultation.

The Port Health and Public Protection Director confirmed that the consultation had been circulated to Members of the Association and if there were any further consultations, they would be duly notified. The Port Health and Public Protection Director added that a report on this would be brought before the September Committee.

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

The Chairman reported that Port Health and Environmental Services Committee ties and badges could be purchased from the Port Health and Public Protection Director.

The Chairman encouraged Members to attend the Member Development Briefings arranged by the Town Clerk's Department and voiced his disappointment on the low turn out at one of the sessions.

The Chairman explained that the 2019 committee dates were currently being arranged and all future Port Health and Environmental Services Committees would be morning meetings.

18. **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.

19. **NON-PUBLIC MINUTES**

**RESOLVED** – That the non-public minutes of the meeting held on 9 May 2017 be approved.

20. **OPERATION OFFSPRING - PROGRESS REPORT ON TAKING OPERATION BROADWAY BEYOND THE CITY OF LONDON**

The Committee considered a report of the Director of Markets and Consumer Protection which sought approval on endorsing the proposal set out within the report.

**RESOLVED** – That the Committee endorse the proposal set out within the report.

21. **CITY'S CASH - RELOCATION OF CITY'S SALT STORE FROM SMITHFIELD GENERAL MARKET - GATEWAY 2 UPDATE**

The Committee considered a report of the City Surveyor which updated Members on the current position in relation to the City's Salt Store and sought approval on proceeding to the next gateway.

**RESOLVED** – That the Committee agree to the proposals set out within the report.

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

There were no questions.

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

There was no other business.

**The meeting ended at 3.33 pm**

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Chairman

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