

## PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Tuesday, 16 January 2018

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

### **Present**

#### **Members:**

Jeremy Simons (Chairman)	Graeme Harrower
Deputy Keith Bottomley (Deputy Chairman)	Christopher Hill
Deputy John Absalom	Deputy Wendy Hyde
Alderman Nick Anstee	Deputy Henry Jones
Alexander Barr	Vivienne Littlechild
Peter Bennett	Andrew McMurtrie
Tijs Broeke	Andrien Meyers
Peter Dunphy	Benjamin Murphy
Mary Durcan	Deputy Joyce Nash
Anne Fairweather	John Scott
Alderman David Graves	Deputy Philip Woodhouse

#### **Officers:**

Sacha Than	-	Town Clerk's Department
Carl Locsin	-	Town Clerk's Department
Paul Dudley	-	Chamberlain's Department
Lisa Moore	-	Chamberlain's Department
Jenny Pitcairn	-	Chamberlain's Department
Julie Smith	-	Chamberlain's Department
Paul Chadha	-	Comptroller & City Solicitor's Department
Warren Back	-	City Surveyor's Department
Chris Hartwell	-	City Surveyor'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	-	Director of Markets and Consumer Protection
Jon Averbs	-	Markets and Consumer Protection
Colin Buttery	-	Director of Open Spaces
Gary Burks	-	Department of Open Spaces

### **1. APOLOGIES**

The Chairman welcomed Benjamin Murphy to the Committee.

Apologies were received from Adrian Bastow, Deputy Tom Hoffman, Henrika Priest, Deputy Elizabeth Rogula, and Mark Wheatley.

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

There were no declarations.

3. **MINUTES**

**RESOLVED** – That the public minutes of the meeting held on 21 November 2017 be approved as a correct record.

**Matters Arising**

**Draft Code of Practice for Deconstruction and Construction Sites**

The Port Health and Public Protection Director explained that a meeting had taken place with Counsel in December 2017 to seek advice on next steps regarding the consultation document. The draft questionnaire had been provided to Counsel and upon receipt of their advice, the questionnaire would be circulated to the Committee for comment and then to the Chairman and Deputy Chairman for sign off, once officers and Counsel have addressed any issues raised.

The Port Health and Public Protection Director explained that following the questionnaire being signed-off, a timescale would be agreed and provided to the Committee, it was further advised that observations of Saturday working would take place by officers to inform decisions on any future changes.

In response, a Member of the Committee raised the following points:

- People understand that Saturday working is about keeping to a time frame and that the Polluter Pays initiative would soon be rolled out.
- Sending officers to monitor Saturday working would be helpful.
- It was noted at the November Port Health and Environmental Services Committee meeting that the composition of the Working Party was a decision for the Committee, however no appointments had been made by the Committee.
- That there were alternatives to Saturday working, such as sharing the five hours allocated for Saturday working across Monday-Friday or carrying out work on alternate weekends to allow residents quiet time.
- That he would be interested in joining discussions taking place.

In response to the points raised, a Member commented that if a panel were formed, it should contain some elected representatives of the wards concerned to allow Members to assist discussions effectively. The Member added that they supported the ideas of alternate Saturday working and longer hours during the week, noting that the Barbican flats were increasingly become primary homes for people and they should be allowed the quiet enjoyment of their homes.

The Port Health and Public Protection Director explained that the suggestions provided from Members at the November Committee meeting had been included in the draft questionnaire and asked Members to submit any further

ideas for inclusion. In response, a Member added that it would be helpful for a Sub-Committee to be formed to work with officers.

The Chairman advised that there would be further discussions at the March meeting of the Committee, with the questionnaire and timescales put before Members.

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

The Committee received a report detailing the Outstanding Actions of Port Health and Environmental Services.

##### Noise Pollution

The Port Health and Public Protection Director explained that a letter had been sent from the Chairman of the Committee to TfL; the received response had been circulated to the Barbican Association and this was available to Members upon request. The Port Health and Public Protection Director added that officers were following up with TfL on this matter.

##### Electric Vehicle Charging

The Director of Transportation and Public Realm explained that a charging point was on target to be installed by March/April 2018 at Noble Street. However, there were difficulties with the Baynard House site and officers would meet with TfL representatives to discuss this further. An update would be provided on these discussions at the next meeting.

##### Additional Works Programme

The City Surveyor provided an overview of the Additional Works Programme, explaining that the Programme has a life of three years with the objective of conducting routine cyclical works on areas such as the fabric of the building and general maintenance.

Each year the budgets for the Programme are set in September/October and budget estimates are used at this time. Following this, the City Surveyor's Department liaises with departments to schedule their works and any financial changes within the Programme are a result of revised budgets, and/or works being carried forward or delayed.

The Chairman thanked the City Surveyor for this explanation and the Committee agreed that the item should be deleted from the Outstanding Actions report.

##### Mosquitoes

The Port Health and Public Protection Director advised that a survey of the area had taken place, however officers had been unable to ascertain the location of where the mosquitoes were breeding. In response, a Member explained that a survey had taken place with residents which showed that a number of elderly people had been affected by the mosquitoes and it was hoped that their breeding location could be found when the weather becomes warmer.

5. **TERMS OF REFERENCE REVIEW**

The Committee considered a report of the Town Clerk that sought approval to the Terms of Reference for subsequent submission to the Court of Common Council.

The Town Clerk explained that the Committee had previously asked that the wording within the Terms of Reference be amended to reflect that the Committee had responsibility for the appointments of the Director of the Built Environment and the Director of Open Spaces, acting jointly with the Planning and Transportation Committee, and Open Spaces and City Gardens Committee respectively. The amendments would be brought before upcoming meetings of the Open Spaces and City Garden Committee and the Planning and Transportation Committee for their approval.

**RESOLVED** – That: -

- the terms of reference of the Committee be approved for submission to the Court of Common Council in April 2018;
- any subsequent changes required in the lead up to the Court's appointment of Committees be delegated to the Town Clerk in consultation with the Chairman and Deputy Chairman; and
- the frequency of meetings continue at six times per year.

6. **ANIMAL RECEPTION CENTRE - HEATHROW AIRPORT: ANNUAL REVIEW OF CHARGES**

The Committee considered a report of the Director of Markets and Consumer Protection which sought approval of the increase to be applied to the Schedule of Charges in respect of services provided at the Heathrow Animal Reception Centre for the financial year 2018/19.

During discussion, Members queried the following:

- The number of dogs quarantined due to the wait time required as part of the vaccination process.
- Why a fees and charges report for the Cemetery and Crematorium was due to be considered in the non-public session, but the fees and charges for the Animal Reception Centre was being considered within the public session.
- Whether the proposed fee increase was ambitious enough and the fees could be increased in line with inflation.
- What the direct debit uptake had been and whether there was value in maintaining this.
- Whether there were plans to expand the service to other airports, particularly Gatwick and Stansted.
- Whether further information could be provided on the potential competition for the Pet Travel Scheme.

In response to further queries, the Port Health and Public Protection Director advised as follows:

- That the number of dogs quarantined for those reasons was negligible.

- That the report was being considered within the public session as the fees for the Animal Reception Centre are contained within byelaws which would be brought before the March Court of Common Council for approval.
- That the proposed fee increase was in line with previous years and that an increase of 2% had been recommended based on discussions with one of the larger companies which imports animals through the Animal Reception Centre.
- That due to technical issues, the direct debit system had not yet been introduced and would be implemented in 2018.
- Officers were looking at the feasibility of expanding the service to other airports, and were currently focussing on discussions with bigger airlines on handling their requirements; an update would be brought before the Committee.
- That the Animal Health Service is looking at opportunities for growth in a range of areas, but border inspection post facilities and allied functions can be provided by private companies, and offices are mindful of this when considering potential competition.

A Member queried the level of debt and what action had been taken to resolve any outstanding finances. In response, the Chamberlain explained that a debt report would be submitted to the next meeting of the Committee and a copy of the most recent debt report was available upon request.

**RESOLVED** – That the Committee:

- approve the charges included in the appendix to the report with effect from 1 April 2018, or as soon as practicable thereafter; and
- approve the proposed Byelaws contained in the appendix to the report and recommend to the Court of Common Council that the Byelaws be made, and that the Comptroller and City Solicitor be instructed to seal the Byelaws accordingly.

**7. MAYOR OF LONDON CONSULTATION ON CHANGES TO THE ULTRA-LOW EMISSION ZONE AND LONDON LOW EMISSION ZONE**

The Committee considered a report of the Director of Markets and Consumer Protection which sought delegated authority to respond to the Mayor of London's latest consultation on proposals to improve air quality.

In response to a Member's request for confirmation that the City Corporation would retain their stance on ensuring there would be an appropriate certified retrofit system in place for HGV vehicles, the Port Health and Public Protection Director confirmed that the City Corporation would continue to make the point that there was a need for the retrofitting of vehicles.

**RESOLVED** – That the Committee delegate authority to the Town Clerk, in consultation with the Chairman and Deputy Chairman, and subject to comments received, to respond to the Mayor of London's latest consultation on proposals to improve air quality.

8. **MARKETS AND CONSUMER PROTECTION BUSINESS PLAN 2017-2020: PROGRESS REPORT (PERIOD 2)**

The Committee received a report of the Director of Markets and Consumer Protection which provided an update on progress against the operational performance indicators (PIs) and improvement objectives outlined in the Business Plan of the Port Health and Public Protection Division for Period Two of 2017-2018.

In response to a Member's query, the Port Health and Public Protection Director confirmed that there had only been one contravention thus far in relation to the construction sites inspected for compliance with new non-road mobile machinery requirements.

In response to a Member's query on the length of time fresh food is held whilst awaiting inspection, the Port Health and Public Protection Director explained that the majority of meat cargo is frozen or canned and the risk of produce going off is therefore not an issue, however as some laboratories where the testing takes place are in Germany, as part of Brexit planning, this has been drawn to the attention of the Food Standards Agency.

In response to a Member's query as to whether targets should be adjusted to account for the length of time taken for testing, the Port Health and Public Protection Director advised that a breakdown is provided to show the length of time taken for produce to pass inspection, but it was hoped that the KPI could be adjusted as suggested. It was noted that mobile working has been particularly helpful as part of this process.

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

9. **PERIOD 2 (AUG-NOV 2017) CEMETERY & CREMATORIUM BUSINESS PERFORMANCE UPDATE**

The Committee considered a report of the Director of Open Spaces which updated Members on the performance of the Cemetery and Crematorium from August to November 2017.

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

10. **DEPARTMENT OF THE BUILT ENVIRONMENT RISK MANAGEMENT - PERIODIC REPORT**

The Committee received a report of the Director of the Built Environment which provided assurance that risk management procedures in place are satisfactory.

**RESOLVED** – That the Committee note the report and the actions taken in the Department of the Built Environment to monitor and manage effectively risks arising from the Department's operations.

11. **PLASTIC FREE CITY**

The Committee considered a report of the Director of the Built Environment which set out the scope for a multifaceted project where the City of London could use its unique position to lead by example and show what possibilities

there are for a local authority to raise awareness of the issues of single use plastics and reduce their volume across the City.

Members welcomed the initiative, but asked that consideration be given to timescales and that further details be provided. Members commented that it was important to ensure that any proposals being put before businesses were being carried out within the Guildhall premises.

A Member noted the success of the Coffee Cup campaign and queried whether there would be any follow up from this campaign. It was further queried whether recycling provisions could be made available in the Members' Room for plastic cups as at present, only the coffee cups were being recycled.

The Chairman advised the Committee that a request had been made to the Town Clerk's Department for all Members to be issued with re-usable coffee cups. Members commented that the provision of re-usable cups increases the need for washing up and detergents used. A Member queried whether mugs, glasses and a dishwasher could be provided in the Members' Room.

In response to the points raised by Members, the Assistant Cleansing Director explained that:

- The Coffee Cup campaign continues to generate interest and whilst a decision had been made by Government not to introduce a levy on single use coffee cups, organisations have continued to meet with the Department to discuss the project.
- That a detailed plan with timescales would be worked up in Spring 2018.
- That the provision of portable cups to Members could be considered and officers would work with the Town Clerk's Department on this.

Members noted that the funding for the project would be sought from current budgets and asked that the initial scope of the project not be limited due to financial concerns explaining that the plan should show the full range of what could be achieved, and the financial arrangements could then be examined.

A Member asked for assurance that the coffee cups provided in the Members' Room were recyclable and not lined with plastic. Officers agreed to follow this up.

**RESOLVED** – That:

- the Committee agree the commencement of a high-profile project in 2018 with the aim to reduce single use plastics within the Corporation and across the City of London; and
- a follow up report with further details be presented to the Committee at their May 2018 meeting.

## 12. **UNITED FOR WILDLIFE**

The Committee considered a report of the Director of Markets and Consumer Protection which recommended for the City of London Corporation to sign up to the Royal Foundation's United for Wildlife Transport Taskforce.

**RESOLVED** – That the Committee sign up to the Royal Foundation’s United for Wildlife Transport Taskforce on behalf of the City of London Corporation.

**13. ANNUAL WAIVERS REPORT**

The Committee considered a report of the Chamberlain which set out a summary of statistics for waivers processed during 2016/17, the report was circulated to all Spending Committees for information.

In response to the Chairman’s request for clarity on the waivers, the Chamberlain explained that for the Departments which the Committee is responsible for, there were eight waivers in total, two from Open Spaces and six from Markets and Consumer Protection. Of these, three from Markets and Consumer Protection and one from Open Spaces were retrospective.

A Member noted that the report before the Committee had first been presented to the July 2017 meeting of the Finance Committee where it had been decided that the report should subsequently be circulated to other Committees, and asked why there had been a delay in its submission to this Committee. The Chamberlain agreed to follow this up.

The Director of Markets and Consumer Protection assured Members that the issue of waivers was taken seriously by the Department, which has very few waivers in comparison with other departments, and they were looking at ways to ensure waivers could be signed off in his absence.

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

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

There were no questions.

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

The Chairman informed Members that the annual river inspection would take place on 20 June 2018 and the fishing experiment on 27 October 2018.

**16. 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.

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**17. NON-PUBLIC MINUTES**

**RESOLVED** – That the non-public minutes of the meeting held on 21 November 2017 be approved.

**18. REFUSE AND RECYCLING COLLECTION, STREET CLEANSING AND ANCILLARY SERVICES TENDER**

The Committee considered a report of the Director of the Built Environment which provided an update on the preparations underway in relation to the procurement of a new Recycling, Refuse, Street Cleansing and Ancillary Services contract.

**19. CEMETERY AND CREMATORIUM FEES, CHARGES AND MARKETING REPORT**

The Committee considered a report of the Director of Open Spaces which sought approval of the proposed Cemetery and Crematorium fees and charges.

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

There were no questions.

**21. 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 closed at 12.50 pm**

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Chairman

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