

Committee(s)	Dated:
Port Health and Environmental Services Committee Court of Common Council	Urgency 8 March 2018
Subject: Section 101 Agreements – Amendments to the Terms of Reference and Scheme of Delegations	Public
Report of: Director of Markets and Consumer Protection	For Decision
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Summary

At the Port Health and Environmental Services Committee of 21 November 2017, as part of measures to combat illegal street trading, Members agreed that the City Corporation should enter a s.101 Agreement with the London Borough of Southwark which would allow City Corporation officers to take enforcement action against illegal street traders on the area of Millennium Bridge that falls within the L.B. of Southwark, the area just to the south of London Bridge and the south side of Tower Bridge.

The Committee further agreed that if officers were to negotiate a similar agreement with the London Borough of Tower Hamlets, they had the Committee's permission to enter into a s.101 Agreement with the Borough.

In February 2018, the Comptroller and City Solicitor advised that the entering into of s.101 Agreements should from now on be authorised by the Court of Common Council and that the Scheme of Delegations be amended delegating the new enforcement functions to Port Health Committee and specified chief officers. Those delegations would be subject to the s.101 agreement/s being entered into. The Committee has already given its approval to enter into s.101 agreements, but approval will also be required to amend the terms of reference and Scheme of Delegations.

The terms of reference of the Port Health and Environmental Services Committee were considered and approved by Members at their meeting of 16 January 2018, the proposed amendments are attached at Appendix A to this report for your consideration. If approved, the final terms of reference will be brought before the 15 March 2018 Policy and Resources Committee and the 19 April Court of Common Council as part of the overall review of all Committees' terms of reference.

The proposed amendments to the Scheme of Delegations are attached at Appendix B and will be brought before the 7 March 2018 Committee for approval.

Recommendations

It is recommended that:

- the terms of reference of the Committee, be approved for submission to the Court in April 2017; and
- the proposed amendments to the Scheme of Delegations be approved as set out in Appendix C.

Appendices

- Appendix B – Terms of Reference
- Appendix C – Scheme of Delegations

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APPENDIX B

Port Health and Environmental Services Committee Terms of Reference

To be responsible for:-

- (a) all the City of London Corporation's environmental health, port health, animal health, consumer protection, licensing (with the exception of those which are in the province of another Committee), public conveniences, street cleansing, refuse collection and disposal, the street trading enforcement functions in the London Local Authorities Act 1990 including any decision as to whether the s.101 arrangements should be discontinued, and cemetery and crematorium functions;
- (b) the implementation of those sections of any Acts of Parliament and/or European legislation which direct that the local authority take action in respect of those duties listed at (a) above;
- (c) the appointment of the Director of the Built Environment (in consultation with the Planning & Transportation Committee);
- (d) the appointment of the Director of the Markets and Consumer Protection acting jointly with the Markets and Licensing Committees;
- (e) the appointment of the Director of Open Spaces (in consultation with the Open Spaces & City Gardens Committee);
- (f) determining any appeals against a decision not to grant City premises a licence under the provisions of the Marriage Act 1994 and the City of London (Approved Premises for Marriage) Act 1996 to conduct civil marriage ceremonies;
- (g) the appointment of the City of London Coroner;
- (h) the Signor Pasquale Favale Bequest (registered charity no. 206949);
- (i) making recommendations to the Court of Common Council in respect of the making and sealing of byelaws for the variance of charges at the Animal Reception Centre.