

## PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Tuesday, 6 March 2018

Minutes of the meeting of the Port Health & Environmental Services Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Tuesday, 6 March 2018 at 11.00 am

### Present

#### Members:

Jeremy Simons (Chairman)	Deputy Tom Hoffman
Deputy Keith Bottomley (Deputy Chairman)	Deputy Wendy Hyde
Deputy John Absalom	Deputy Henry Jones
Caroline Addy	Andrew McMurtrie
Alexander Barr	Benjamin Murphy
Peter Bennett	Deputy Joyce Nash
Tijs Broeke	Henrika Priest
Peter Dunphy	Deputy Elizabeth Rogula
Anne Fairweather	John Scott
Graeme Harrower	Deputy Philip Woodhouse
Christopher Hill	

### In Attendance

#### 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
Warren Back	-	City Surveyors
Carolyn Dwyer	-	Director of Built Environment
Jim Graham	-	Department of the Built Environment
Elisabeth Hannah	-	Department of the Built Environment
Steve Presland	-	Department of the Built Environment
David Smith	-	Director of Markets and Consumer Protection
Jon Averbs	-	Markets & Consumer Protection
Steve Playle	-	Markets & Consumer Protection
Rachel Sambells	-	Markets & Consumer Protection
Colin BATTERY	-	Director of Open Spaces
Gary Burks	-	Open Spaces
Xenia Koumi	-	Health and Wellbeing Team

The Chairman informed the Committee that upon Steve Blake's retirement, Rachel Pye had been appointed to the post of Assistant Director of Public Protection. The Committee offered their congratulations.

1. **APOLOGIES**

Apologies were received from Alderman Nick Anstee, Alexander Barr, Mary Durcan, Alderman David Graves, Vivienne Littlechild, Andrien Meyers, 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 16 January 2018 were approved as a correct record.

**Matters Arising**

Single Use Plastics

The Chairman informed Members that stainless steel re-usable mugs were available free of charge from the Town Clerk's office and Members would be responsible for the washing up of these cups. The Chairman added that he would attend the House Committee of the Guildhall Club on 8 March 2018 to discuss the issue of single use plastics within Members' areas. In response to a Member's query, the Chairman explained that Members would be responsible for arranging the labelling of their own mugs.

The Chairman advised that following a query received at the last meeting of the Committee as to whether the cups in the Members' Room were recyclable, confirmation had been received that both the internal and external layers of the cups could be recycled via a special process.

United for Wildlife

The Chairman confirmed that since the last meeting of the Committee, he had signed the papers for the City Corporation to sign up to the Royal Foundation's United for Wildlife Transport Taskforce.

4. **OUTSTANDING ACTIONS**

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

Noise Pollution from the London Underground

The Director of Port Health and Public Protection explained that a meeting had taken place with TfL to ensure that they remained aware of the continued noise pollution issues experienced by residents. Officers asked that residents report these issues to TfL who would provide a ticket number at the time of receiving the complaint which would enable officers to monitor the level of complaints made and the progress of these complaints.

In response, a Member explained that residents had been subjected to ongoing noise caused by the trains for years and TfL had yet to resolve these issues, adding that TfL appear to ignore the complaints being made. The Director of Port Health and Public Protection agreed to continue following up this issue.

#### Electric Vehicle Charging

The Director of Transportation and Public Realm explained that the installation of a charging point at Noble Street in April 2018 remained on target. However, there were delays with the Baynard House site and the target date for installation was now July 2018.

#### Heathrow Animal Reception Centre

The Director of Port Health and Public Protection explained that an update on the feasibility of expanding services offered at Heathrow to other airports would be brought before the Committee's July 2018 meeting.

### 5. **CONSULTATION AND STUDY OF THE IMPACT OF SATURDAY CONSTRUCTION WORK ACTIVITIES IN THE CITY OF LONDON**

The Committee considered a report of the Director of Markets and Consumer Protection which provided an update on the likely evidence base and timetable for decision in relation to Saturday Construction Work Activities. A draft questionnaire for the consultation process was attached and Members were invited to provide their comments.

The Director of Port Health and Public Protection explained that the draft questionnaire as set out within the report before Members had been submitted to Counsel for their advice and comments had recently been received back which would be incorporated into the final version of the questionnaire. Members were asked to submit their comments to Rachel Pye prior to 13 March 2018 for these to be considered.

The timeline for the questionnaire was as follows;

- a final version with Members' comments incorporated would be signed off by the Chairman and Deputy Chairman prior to Easter and then circulated to Members.
- After Easter, the questionnaire would be circulated with a consultation period taking place over three months.
- Final recommendations based on comments received would be brought before the Port Health and Environmental Services Committee in September 2018.

A discussion took place during which the following questions were asked:

- Would the questionnaire be available online?
- What number of responses would make a representative sample?
- Would the residential areas around Bart's Hospital and Bernard Morgan House be examined as part of the evidence gathering?
- Discussion on Member representation on a Sub-Committee had taken place at previous Committee meetings, but would a Working Party be more appropriate?

In response, the Director of Port Health and Public Protection confirmed that the questionnaire would be available online and it would be circulated by the Communications Team to receive as many responses as possible. The residential areas around Bart's Hospital and Bernard Morgan House would be included and the responses received would be brought to a later meeting, however any decision made on the establishment of a Working Party would be for the Committee.

During further discussion, the following points were raised:

- The residents of Temple were also experiencing disturbances caused by building works, particularly due to the Thames Tideway works.
- Some Members noted the concerns of residents; but explained that the Square Mile was a business city and the building works had to be carried out for businesses to operate. It was explained that the needs of businesses, contractors and developers should also be considered as part of the consultation.
- The level of value of the questionnaire, as the current wording was loaded, and the answers given would be from those with set views such as residents or workers. Some Members queried this point, noting that residents may not ask for the cessation of work, but instead for better communication and respite periods.
- The high levels of work in some areas would result in businesses and residents suffering for a prolonged period of time.
- The Working Party, if established, should have representation from a wide range of Members.

In response to a Member's query on the establishment of the Working Party, the Chairman suggested that for the time being, matters relating to Saturday Construction Work should continue to be considered by the full Committee.

**RESOLVED** – That the Committee approve the proposal as set out at paragraph 11 within the report before Members.

## 6. **THE LOCAL DECLARATION ON SUGAR REDUCTION AND HEALTHIER FOOD**

The Committee considered a report of the Director of Community and Children's Services which set out a Declaration for the City Corporation to sign up to on sugar reduction and healthier food. The Health and Wellbeing Board had in February given their approval for the City Corporation to sign up to this initiative.

A Member asked for a more proactive approach to advertise the City's drinking fountains, explaining that flyers within the City Information Centre and inclusion within the City Walks brochures could be given consideration. It was added that the creation of a mobile app similar to the toilet app could be looked into. A Member, the Chairman of the Licensing Committee, confirmed that licensed premises were obligated under the terms of their license to provide free drinking water upon request to members of the public not purchasing a drink.

A Member asked that focus also be given to encouraging healthier schools adding that sugary drinks had recently been given out to commuters passing through Liverpool Street Station. In response, the Director of Community and Children's Services explained that the school aspect was being addressed within the corporate catering contract and the Department were looking to adopt the guidelines provided by the Department of Education.

**RESOLVED** – That the Committee:

- a) note the report;
- b) endorse the steps and proposals for action outlined in the report before Members; and
- c) support the signing of the Local Government Declaration on sugar reductions and healthier food by the City of London Corporation.

**7. UPDATE ON THE IMPACT OF THE UK LEAVING THE EU (BREXIT) ON PORT HEALTH & PUBLIC PROTECTION**

The Committee considered a report of the Director of Markets and Consumer Protection which outlined the current position relating to Brexit and the representations made by Port Health and Public Protection in line with the key principles previously agreed by the Committee.

A Member noted there had not yet been any clear messages from the Government with guidance on next steps and asked at what point would the Department begin preparing and implementing mitigation plans for March 2019 in the absence of Government advice. It was further noted that recognition had been given by Senior Government officials on the limited availability of EU vets in the United Kingdom and noted the recent media attention given to the Port of Rotterdam and the additional resourcing required because of Brexit.

In response to the points raised, the Director of Port Health and Public Protection explained that due to an expected 25% increase in workload should imports from the EU be subject to border controls following the UK's withdrawal from the EU in March 2019, the Team are working with Border Co-ordination to obtain timelines, particularly as up to one year of training is required for the vets and other officers employed to work at Border Control Points. At present, there was likely to be a shortage of vets with seven currently employed and a potential requirement for at least two more.

Members raised their concerns at the possibility of insufficient time to implement plans by March 2019 and explaining that as these were issues which could not wait, the City Corporation should begin implementing contingency plans. The Chairman asked officers to give this further consideration and that a report be presented in July 2018 addressing the points raised.

In response to a Member's request for an update on the need to obtain larger premises for received cargo, the Director of Port Health and Public Protection explained that infrastructure is a responsibility of the Ports and depending on the classification assigned to the UK following Brexit, the current infrastructure may not be sufficient for the level of imports requiring inspection.

Members commended the Team for their proactive work in this area.

**RESOLVED** – That the Committee:

- a) note the progress made to date; and
- b) approve the next steps as outlined in paragraphs 17 and 18 in the report before Members, with a further report to be provided in July 2018 addressing the issues raised by Members.

**8. CRYPTOCURRENCIES AND THE CITY OF LONDON**

The Committee considered a report of the Director of Markets and Consumer Protection which informed Members on the work taking place in relation to ensure that fraudulent cryptocurrency businesses do not try to exploit the reputation of the Square Mile. The Director of Markets and Consumer Protection explained that there would be a partnership approach to tackle cryptocurrency fraud and to protect the reputation of the Square Mile by not allowing criminals to make use of a City of London address which could add to the credibility of a scam.

Members noted the steps taken by Lloyds and Virgin Banks to protect credit card customers from fraudulent cryptocurrency activity and queried whether the City Corporation could encourage banks headquartered within the City to take similar steps. A Member raised the point that the Industry was considering ways in which greater transparency could be made through regulatory work. In response, the Director of Markets and Consumer Protection agreed that these points could be brought before the Treasury Committee that was announced last week to look into the cryptocurrency sector.

A Member noted that the City Corporation should take a lead in taking action against fraudulent cryptocurrency activity adding that there were issues which included:

- organisations bypassing anti-money laundering procedures;
- false advertising through promises of guaranteed returns and not following any regulation; and
- a lack of evidence that the operators are protecting those who invest through financial mechanisms.

The Committee recommended that the City of London Police website should contain information and help on fraudulent cryptocurrency activity for members of the public. It was added that Action Fraud could also feature this on their website.

**RESOLVED** – That:

- a) the Committee note the report;
- b) the Committee endorse the proposal for Trading Standards to take a proactive and innovative approach to dealing with a potential future problem; and
- c) a resolution be submitted for the next meeting of the Economic Crime Board to recommend to the Committee that the City of London Police website address the issue of fraudulent cryptocurrency activity.

9. **STREET TRADING FEES 2018/19**

The Committee considered a report of the Director of Markets and Consumer Protection which set out the annual fees for street trading licenses in Middlesex Street.

**RESOLVED** – That the Committee agree the proposed fees for 2018/19 as set out in Appendix one within the report before Members.

10. **MASSAGE & SPECIAL TREATMENT LICENCE FEES 2018/19**

The Committee considered a report of the Director of Markets and Consumer Protection which set out the annual fees for premises requiring a license for Massage and Special Treatments, and for those seeking to register for acupuncture, tattooing, ear/cosmetic piercing or electrolysis.

**RESOLVED** – That the Committee agree the proposed fees for 2018/2019 as set out in Appendix two of the report before Members.

11. **SETTING OF STATUTORY FEES FOR LICENSING HOUSES IN MULTIPLE OCCUPATION**

The Committee considered a report of the Director of Markets and Consumer Protection which set out revised fees for licenses for houses in multiple occupations.

In response to a Member's query on whether the license reviews could take place more frequently, the Director of Markets and Consumer Protection explained that each license lasts for a period of five years with the previous licenses issued in 2013, but this would be given future consideration.

**RESOLVED** – That the Committee approve the schedule of fees as set out in Appendix One in the report before Members.

12. **LOW EMISSION NEIGHBOURHOOD: UPDATE ON PROPOSALS FOR ULTRA LOW / ZERO EMISSION STREET**

The Committee considered a report of the Director of Markets and Consumer Protection which updated Members on proposals for an ultra-low emission street. It was reported that delivery of an ultra-low emission vehicle traffic restriction in Beech Street will not be possible within the timescales of the Low Emission Neighbourhood Scheme (LEN) therefore Moor Lane is under consideration to deliver the Mayor of London's requirements for receiving the LEN funding.

Members of the Committee strongly disagreed with the proposal to substitute Moor Lane as an ultra-low emission street due to the illegal levels of air pollution within Beech Street and noting the urgency of this issue, the following points were raised:

- The reasons provided for rejecting Beech Street as the ultra-low emission street were not sufficient and the proposals to solve air quality at Beech Street as part of the Culture Mile were not a satisfactory resolution as those plans could take years to implement. Members noted

the inaugural event taking place at Beech Street in March 2018 and raised the point that Members may need to query some Culture Mile proposals if they affect Beech Street and the High Walks.

- If resourcing was the underlying reason for this change, this should be addressed to achieve the original objectives. Members queried whether TfL could extend the final deadline to allow officers more time.
- There had been issues with air quality in Beech Street for years with both residents and workers affected by the levels of air pollution and with more people expected into the City with the completion of Crossrail, an urgent solution was needed.
- Moor Lane already had low pollution levels, therefore this proposal was akin to an exercise in directing traffic.
- There were options in the proposal that would not result in 80% of the traffic being diverted.
- Officers should look at a full range of options to reduce pollution in Beech Street.

In response to the points raised, officers sought to reassure Members that if a ultra-low emissions vehicle scheme was implemented, the current levels of vehicles entering Beech Street would be reduced by 80% and there was work taking place which would improve air quality in that area for 2021 onwards. The Director of Port Health and Public Protection added that due to the impact on the road network of the changes introduced at Bank Junction, another similar scheme that changed traffic flows could cause additional congestion.

The Director of Transportation and Public Realm advised that any closure of Beech Street would have a ripple impact on the neighbouring boroughs of Islington and Westminster, as well as the TfL road network. It was added that Islington Council were considering carrying out traffic modelling work to reduce the impact of congestion, therefore it was unlikely that a recommendation could be made to close Beech Street to vehicles.

The Chairman noted the unanimity of the Committee in rejecting Moor Lane as the ultra-low emission street instead of Beech Street. As only one year of Low Emission Neighbourhood funding was left from TfL, officers should consider what steps would need to be taken to deliver the original proposal of Beech Street and this would need to be referred back to Planning and Transportation and Policy and Resources Committees. It was further suggested that options should be re-evaluated, and solutions be presented to the Port Health and Environmental Committee as to what action could be taken and what could be achieved.

The Director of the Built Environment explained that as part of the Culture Mile installation, Beech Street would be closed for a period of five days which would allow officers to assess the impact of this closure on traffic levels in the surrounding areas. A less than grid lock effect will add significant weight and evidence based support to implementing the originally intended and urgently needed air quality measures in Beech Street.

**RESOLVED** – That a note of the discussion and issues raised by Members be circulated to the Policy and Resources and Planning and Transportation Committees for their consideration.

13. **FINAL DEPARTMENTAL BUSINESS PLAN 2018/19 - DEPARTMENT OF THE BUILT ENVIRONMENT**

The Committee considered a report of the Director of the Built Environment which presented information on the final 2018/19 high level business plan for the Department of Built Environment.

In response to a Member's request, the Director of the Built Environment confirmed that in future the Plan would identify which areas were particularly relevant to the Committee.

**RESOLVED** – That the Committee approve the final high level business plan for 2018/19.

14. **DEPARTMENT OF THE BUILT ENVIRONMENT (CLEANSING SERVICES) BUSINESS PLAN PROGRESS REPORT FOR PERIOD 1 (AUGUST - NOVEMBER) 2017**

The Committee received a report of the Director of the Built Environment which set out progress made during August-November 2017 against the Department's Business Plan.

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

15. **PLASTIC FREE CITY**

The Committee received an oral update from the Director of the Built Environment in relation to the Plastic Free City campaign. Members were informed that this was a Corporate Campaign with officers from a range of Departments involved in the workstreams and the Public Relations Economic Development Sub Committee of Policy and Resources would have final approval on the campaign.

The Director of the Built Environment explained that the work streams had the following aims:

- Developing a refill culture through encouraging people to use drinking fountains and refill points across the Square Mile.
- Businesses, workers and residents would be encouraged to sign up to pledges to eliminate using single-use plastics.
- The City Corporation would be looking at ways to eliminate litter and one initiative would be encouraging volunteers to take part in litter picking with Thames 21.

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

16. **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 response to a Member's question, the Director of Port Health and Public Protection, explained that the funding for local enforcement officers employed to tackle illegal street trading would be available until May 2018, following this, additional funding would be sought.

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

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

The following questions were raised by Members of the Committee:

Winter Maintenance Plan

A Member thanked officers for their work during the snowy conditions the previous week and explained that a constituent within the Ward of Cheap had asked about the regularity of cleaning and gritting pavements. Following receipt of this question, the Member had consulted the website which detailed five stages of cleaning, however as the information was not clear, "Could officers clarify the different stages using the Ward of Cheap as an example?".

The Member further queried whether officers would be conducting a review of the implementation of the Winter Maintenance plan and lessons learned and if so, "could Members be provided with the results?".

The Assistant Cleansing Director advised that the Winter Maintenance Plan was reviewed on an annual basis and this was last carried out in October 2017. It was confirmed that there were five stages involved with ensuring the roads and pavements are sufficiently gritted and the website would be updated to ensure the information provided was clearer. It was explained that 60 tonnes of salt had been distributed prior to the snowfall and in total, 150 tonnes of salt had been put out over that week. It was added that the Cheapside Business Alliance had been requested to ask their Ambassadors to report any particular problems in their area, but none had been reported. He confirmed that the Team had gritted the Cheapside area three times a day.

In response, the Chairman asked the following questions:

- Were some business owners prepared to grit in front of their own premises?
- Were the stages for the highways and footways carried out simultaneously?
- Were different staff involved with the highways and footways?

The Assistant Cleansing Director explained that the work of gritting the roads and pavement stages as previously outlined was carried out simultaneously and the usual work of Cleansing Staff and contractors had been diverted to ensure gritting had taken place. Further to this, both Open Spaces staff and staff from the City Corporation's highways contractor Riney, had supported the operation. It was added that salt bins had been provided which people were encouraged to use.

The Chairman added that there were some walkways which had not been gritted making it difficult for vulnerable people to leave their homes and asked that the Department keep a record of such areas. The Assistant Cleansing Director explained that officers were always looking at ways to ensure as many areas as possible were gritted, particularly when it affected vulnerable people, but it was a question of resourcing, adding that the heavy snow first began to fall at 4am. However, this point would be considered in the forthcoming 'lessons learnt' exercise relating to the recent snow clearance.

The Committee thanked the huge efforts made by staff during that cold weather.

Gumdrop

A Member explained that an initiative to recycle gum, known as gumdrop had featured in the press and noted that this could be of interest to the City Corporation. The Director of the Built Environment agreed to look into this.

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

There was no other business.

**19. 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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**20. NON-PUBLIC MINUTES**

**RESOLVED** – That the non-public minutes of the meeting held on 16 January 2018 be approved as a correct record.

**21. PROPOSED CHARGES FOR STREET CLEANSING, WASTE COLLECTION AND PUBLIC CONVENIENCES 2018/19**

The Committee considered a report of the Director of the Built Environment which set out proposed charges for street cleansing, waste collection and public conveniences for 2018/19.

**22. DEBT ARREARS - PORT HEALTH AND ENVIRONMENTAL SERVICES PERIOD ENDING 31 DECEMBER 2017**

The Committee received a joint report of the Director of the Built Environment, Director of Markets and Consumer Protection and the Director of Open Spaces which informed Members of arrears of invoiced income outstanding as at 31 December 2017.

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

There were no questions.

**24. 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 12.50 pm**

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Chairman

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