Redcar & Cleveland Borough Council Corporate Directorate for Resources Democratic Services Redcar & Cleveland Leisure and Community Heart Ridley Street Redcar Yorkshire TS10 1TD

Telephone: 01642 774774 Website: www.redcar-cleveland.gov.uk

To: The Chairman and Members of the River Tees Port Health Authority

Contact: Mrs S A Fenwick Direct line: (01642) 444413

15 February 2019

Dear Councillor,

RIVER TEES PORT HEALTH AUTHORITY: FRIDAY 1 MARCH 2019

Would you please note that a meeting of the River Tees Port Health Authority will be held on Friday 1 March 2019 at 10.00 a.m. at Middlesbrough Town Hall.

AGENDA

		Pages
1.	Apologies for Absence.	<u>1 4900</u>
2.	Declarations of Interest.	
3.	To confirm the Minutes of the meeting held on 7 December 2018.	1 – 2
4.	Reports of the Corporate Director for Adults and Communities:	
	a. Risk Managementb. Natural England SSSIc. Brexit Update	3 - 15 16 - 22 23 - 25
5.	Reports of the Deputy Treasurer:	
	a. 2018-19 Financial Position Updateb. Budget 2019-2020 and Medium Term Financial Plan	26 – 30 31 - 40

6. Any items that the Chair certifies as urgent.
Yours sincerely,
S NEWTON CLERK TO THE AUTHORITY

7 December 2018

RIVER TEES PORT HEALTH AUTHORITY

A meeting of the River Tees Port Health Authority was held on Friday 7 December 2018 at Middlesbrough Town Hall.

PRESENT Councillors D Brown (Chair),

Councillors S Dean, D Dowson, K Faulks,

C Foggo, Mrs Forster, B Norton, Mrs O Donnell,

M Perry, S Thomas and .M Walters

OFFICIALS M Burns, L Evans, S Fenwick and S Ziolkowski

(Redcar and Cleveland Borough Council).

MINUTES SILENCE

The Chair announced the sad death of Councillor Peter Purvis from Middlesbrough Borough Council who had been a long serving member on the River Tees Port Health Authority.

Members and Officers stood for a minutes silence as a mark of respect.

APOLOGIES FOR ABSENCE were submitted on behalf of Councillors W Davies, B Harrison, E Johnson, J McGee and J Walker.

24. MINUTES

RESOLVED that the minutes of the meeting held on 7 September 2018 be confirmed and signed by the Chair as a correct record.

25. RIVER TEES PORT HEALTH AUTHORITY RISK MANAGEMENT

The Corporate Director of Adults and Communities presented the River Tees Port Health Authority Risk Management Strategy and Risk Register.

Members were advised that the Authority must have a risk management strategy and risk register to ensure that risk was managed effectively. This would also ensure that the Authority complied with the Accounts and Audit Regulation 2015 made by virtue of the Local Audit and Accountability Act 2014 which required authorities to provide arrangements for the management of risk.

Members were advised that on this occasion there had been no amendments to the Risk Register.

7 December 2018

A Member commented that Natural England were consulting on proposals to extend the boundaries and revise interest feature of the Tees-mouth and Cleveland Coast Special Protection Area and Ramsar site and to the designation of the Tees-mouth and Cleveland Coast Site of Special Scientific Interest. It was suggested that Officers look at this consultation document and any impact be incorporated on the Risk register.

RESOLVED that:

- 1. The Risk Register be approved; and,
- 2. Any impact from Natural England's consultation be included on the risk register and reported back in due course.

26. PERFORMANCE SUMMARY FOR RIVER TEES PORT HEALTH AUTHORITYAUGUST TO OCTOBER 2018

The Corporate Director of Adults and Communities presented a report which gave a summary of the performance of the River Tees Port Health Authority from August to October 2018. - **NOTED**

27. **2018/19 FINANCIAL POSITION UPDATE**

The Treasurer presented a report which advised of the financial position of the Authority as at the end of October 2018 (period 7) and highlighted any variances against the 2018-19 approved budget.

Members were advised that based on the projected outturn figures set out in the report, the Authority would have an underspend of £4,750. This forecast was based on current information and would be closely monitored by Officers during the remainder of the financial year.

At the meeting on 7 September 2018 Members agreed to redistribute £20,000 back to the riparian authorities, this was now complete and had not affected the reserves which still stood at £36,900. There was also £250 held in a bad debt provision.

RESOLVED that the information in the report be noted.

River Tees Port Health Authority Risk Management



Public

To: River Tees Port Health Authority Date: 01 March 2019

From: Corporate Director of Adults and Decision: Committee

Communities

Portfolio: River Tees Port Health Authority

Outcome: Business Continuity

1 What is the purpose of this report?

1.1 To present to members the Corporate Risk and Opportunity Register.

2 What is the background to this report?

- 2.1 The Authority must have a risk management strategy and risk register to ensure that risk is managed effectively. The RTPHA Corporate Risk Register is brought to each Board Meeting; there have been no amendments to the RTPHA Corporate Risk Register.
- 3 Who will this benefit and how?
- 3.1 This will ensure that the Authority complies with the Accounts and Audit Regulations 2015 made by virtue of the Local Audit and Accountability Act 2014 which require authorities to provide arrangements for the management of risk.
- 4 Who have we consulted?
- 4.1 Maggie Burns, Deputy Treasurer to RTPHA. Joanne Stokes, Senior Auditor, Tees Valley Audit and Assurance Service. Officers and representatives of the Riparian Authorities.
- 5 How will it deliver our priorities and improve our performance?
- 5.1 The register quantifies the potential risks to the Authority and ensures that controls are in place to eliminate or minimise the risks.
- 6 What are the resource implications (financial, human resources)?
- 6.1 There are no resource implications associated with this report.
- 7 What will be the impact on equality and diversity?
- 7.1 There are no equality and diversity issues as part of this report.

8 What will be the impact on our carbon footprint?

8.1 There is no direct impact on the carbon footprint as a result of this report.

9 Are there any legal considerations?

9.1 Yes. Failure to assess, document, review and effectively manage the risks to the operation of the Authority is a breach of the Accounts and Audit Regulations 2015.

10 What are the risks involved?

10.1 Failure to gain member approval will lead to the absence of a Corporate Risk and Opportunity Register for RTPHA, therefore the Authority will not comply with the relevant provisions of the above regulations and will not be in a position to control and minimise risk.

11 What options have been considered?

11.1 There are no other options available

12 Recommendations

12.1 That the register is approved.

13 Appendices and further information

13.1 Appendix A - RTPHA Corporate Risk and Opportunity Register V14 September 2017

14 Background papers

14.1 There are no background papers.

15 Contact officer

Name: Sue Ziolkowski

Address: River Tees Port Health Authority, Belmont House, Rectory Lane,

Guisborough, TS14 7FD

Telephone: (01287) 612404

Email: susan.ziolkowski@redcar-cleveland.gov.uk



CORPORATE RISK REGISTER

Site: Belmont House, Guisborough

Directorate: Adult and Communities

Department: Public Health

Service Health Protection and Health Care Quality

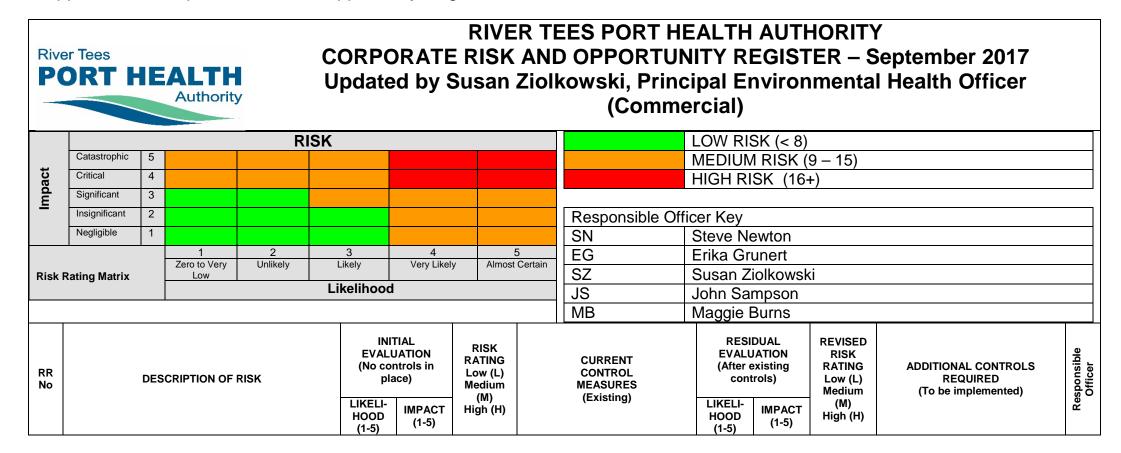
Function: Port Health in Environmental Health (Commercial)

Correspondent Name: Susan Ziolkowski

Contact No.: 01287 612404

Current BIA Version: RTPHA/14

Date of Current Version: September 2017



RR No	DESCRIPTION OF RISK	place)		RISK RATING Low (L) Medium	CURRENT	RESIDUAL EVALUATION (After existing controls)		REVISED RISK RATING Low (L) Medium	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer	
		LIKELI- HOOD (1-5)	IMPACT (1-5)	(M) High (H)	(Existing)	LIKELI- HOOD (1-5)	IMPACT (1-5)	(M) High (H)	(10 to imponent)	()	
1	Failure to comply with the governance requirements of the River Tees Port Health Authority Order leading to the inability to discharge the statutory functions and duties of the Authority. Ineffective governance arrangements resulting in failed external audit, special measures being put in place and reputation damage.	5	4	H	Annual appointment of members by each riparian authority. Annual appointment of Chair and Vice-Chair of the joint board. Approval of annual review of the Constitution. Accurate minute taking and review of minutes at any meetings of the joint board. Declarations of interest from members documented and minutes taken. Any conflicts arising are appropriately addressed. Approval of Calendar of Meetings for the year (Annually in June).	1	2	L		SZ SN	

RR No	DESCRIPTION OF RISK	/ / Medium		CURRENT CONTROL MEASURES (Existing)	RESIDUAL EVALUATION (After existing controls)		REVISED RISK RATING Low (L) Medium	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer	
		LIKELI- HOOD (1-5)	IMPACT (1-5)	High (H)	(Existing)	LIKELI- HOOD (1-5)	IMPACT (1-5)	(M) High (H)		Re
2	Failure to discharge statutory functions assigned by the River Tees Port Health Authority Order in relation to public health risks, litigation, public enquiries and inquests which could lead to reputational damage.	5	4	Н	Statutory appointments of members and effective governance of the Authority. Annual Service Plan reviewed and approved by the joint board. Employment and	1	2	L		SN SZ EG
					retention of an adequate number of suitably trained officers.					SZ

RR No	DESCRIPTION OF RISK	(No controls in place)		RISK RATING Low (L) Medium (M)	CURRENT CONTROL MEASURES (Existing)	RESIDUAL EVALUATION (After existing controls)		REVISED RISK RATING Low (L) Medium	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer
		LIKELI- HOOD (1-5)	IMPACT (1-5)	High (H)	(Existing)	LIKELI- HOOD (1-5) (M) High (H)		Re		
3	Failure to comply with the requirements for relevant authorities as prescribed by the Local Audit and Accountability Act 2104 and the Accounts and Audit Regulations 2015 which could lead to failed external audit resulting in special measures being put in place in relation to financial mismanagement and reputational damage.	4	3	M	Annual review and approval of Accounting Statements to ensure financial management is adequate and effective. Approval of annual Internal Audit Report following review of effectiveness. Adequate insurance cover in place via host and riparian authorities. An annual opportunity for the exercise of electors' rights is provided in accordance with regulatory requirements as the notice of appointment of dates is displayed in two Council buildings and posted on the RTPHA website for the prescribed period of time.		1	L		JS MB

RR No	DESCRIPTION OF RISK	EVALU (No cor pla	INITIAL EVALUATION (No controls in place) RISK RATING Low (L) Medium (M)		CURRENT CONTROL MEASURES (Existing)	RESIDUAL EVALUATION (After existing controls)		REVISED RISK RATING Low (L) Medium	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer	
		LIKELI- HOOD (1-5)	IMPACT (1-5)	High (H)	(Existing)	LIKELI- HOOD (1-5)	IMPACT (1-5)	(M) High (H)			Re
4	Inadequacy and non payment of precept which could lead to inadequate reserves, unbudgeted spends, and contingent liability. Salaries: accurate payment and handling. Supply of goods and services: receipt and correct invoicing. VAT: incorrect analysis, charges and claims to HMRC. Consequential loss: due to improper performance and general liability. Inadequate financial record keeping which could result in decisions taken illegally. Fraud: by officers of the authority or the joint board which could lead to insolvency; financial mismanagement; breach of legislation and litigation and a failed external audit resulting in special measures being put in place and reputational damage.	4	4	Ξ	Precept agreed annually by joint board as part of the budget-setting process. Receipt from Councils confirmed and monthly budget monitored. Adequacy and liabilities considered at budget setting and reviewed in annual statement of accounts. Salaries, goods and services, VAT and record keeping monitored via monthly budget monitoring process. Payment subject to host Council Financial Regulations and associated processes and subject to internal audit of the Authority. Anti-fraud and corruption policy in place and Authority subject to internal audit.	1	2			JS MB SZ	

RR No	DESCRIPTION OF RISK	, Medium		CURRENT CONTROL MEASURES (Existing)	RESIDUAL EVALUATION (After existing controls)		REVISED RISK RATING Low (L) Medium	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer	
		LIKELI- HOOD (1-5)	IMPACT (1-5)	High (H)	(Existing)	LIKELI- HOOD (1-5)	IMPACT (1-5)	(M) High (H)		Re
5	Internal Audit is effective in undertaking its role in relation to financial mismanagement. Breach of legislation and litigation which could result in a failed external audit resulting in special measures being put in place and damage to reputation.	4	3	M	Internal Audit reports are made available to the joint board. The Internal Audit of the Authority is subject to external audit. The Internal Audit is undertaken by the Tees Valley Audit and Assurance Service. Their effectiveness is assessed annually against the Public Sector Internal Audit Standards 2013 and is currently fully compliant.	1	2	L		MB EG

RR No	DESCRIPTION OF RISK	EVALU (No cor pla	FIAL JATION ntrols in nce)	RISK RATING Low (L) Medium (M)	CURRENT CONTROL MEASURES (Existing)	EVALU (After e	DUAL JATION existing crols)	REVISED RISK RATING Low (L) Medium	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer
		LIKELI- HOOD (1-5)	IMPACT (1-5)	High (H)		LIKELI- HOOD (1-5)	IMPACT (1-5)	(M) High (H)		
6	Failure to discharge responsibilities as a Category 1 Responder under the Civil Contingencies Act 2004 to be prepared to respond to an emergency event which could lead to a risk to public health; litigation; public enquiries, inquests and result in reputational damage.	4	4	Ξ	Included in the full statutory process as a Category 1 responder through Cleveland Emergency Planning Unit. The groups attended are known locally as the Local Resilience Forum (Chief Officer Group) and the Business and Policy Group. Maintain Emergency Response Activation arrangements. A suitable number of appropriately authorised officers available to offer an out of hours response as required. Participation in multiagency Emergency Preparedness activities. Participation in multiagency response and recovery activities.	2	2	L	Validate plans by training and exercising	EG SZ

RR No	DESCRIPTION OF RISK	EVALU (No cor	FIAL JATION ntrols in	RISK RATING Low (L) Medium	CURRENT CONTROL MEASURES	RESI EVALU (After e	ATION existing	REVISED RISK RATING Low (L) Medium	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer
		LIKELI- HOOD (1-5)	IMPACT (1-5)	(M) High (H)	(Existing)	LIKELI- HOOD (1-5)	IMPACT (1-5)	(M) High (H)	(
7	Failure to discharge responsibilities as a Category 1 responder under the Civil Contingencies Act 2004 to maintain continuity of service due to disruptive events, for example, loss of key Authority staff, failure of utilities, failure of communications and a lack of suitable premises, IT or fuel supply which could lead to a risk to public health; litigation; public enquiries; inquests and reputational damage.	4	4	Ι	Maintain Business Continuity Plans and Arrangements. Undertake periodically a Business Continuity Impact Assessment and design Action Plan. Implement Action Plan. Annually review Business Continuity arrangements. Business Continuity has been addressed via the host Council's arrangements and is also part of River Tees Port Health Authority.	2	3	L		EG SZ

RR No	DESCRIPTION OF RISK	(No controls in place)		RISK RATING Low (L) Medium	CURRENT CONTROL MEASURES (Existing)	EVALU (After 6	SIDUAL REVISE LUATION RISK er existing entrols) Low (L Medium (M)		ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer
		LIKELI- HOOD (1-5)	IMPACT (1-5)	(M) High (H)	(Existing)	LIKELI- HOOD (1-5)	IMPACT (1-5)	(M) High (H)		
8	Failure to be operationally fit for purpose in complying with specified legislation, for example in relation to the Freedom of Information and Data Protection; Human Rights; Equalities; Employment Law; Health and Safety which could lead to a breach of legislation; litigation resulting in special measures being put in place by external regulators and reputational damage.	4	4	Ħ	Maintain compliance via all relevant policies and procedures of the host Council. Training of appropriate officers by host Council in their adopted policies and procedures. The Constitution of the Authority is linked to the host Council policies and procedures. Bespoke health and safety risk assessments in place which consider all the risks to officers of the Authority while carrying out their duties.	2	3	L		EG SZ

RR No	DESCRIPTION OF RISK	INITIAL EVALUATION (No controls in place)		RISK RATING Low (L) Medium (M)	CURRENT CONTROL MEASURES (Existing)	RESIDUAL EVALUATION (After existing controls)		REVISED RISK RATING Low (L) Medium	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer
		LIKELI- HOOD (1-5)	IMPACT (1-5)	High (H)		LIKELI- HOOD (1-5)	IMPACT (1-5)	(M) High (H)	(
9	Failure to discharge responsibilities as a Port Health Authority under domestic Public Health and International Health Regulations leading to a risk to public health; breach of legislation; litigation; public enquiries; and inquests which may result in special measures being put into place by external regulators and reputational damage.	4	4	Ι	Officers possessing necessary qualifications and competencies to enforce the designated legislation. Adequate staff available to the Authority. Full adherence, consideration and appropriate decision making in relation to the relevant statutory and non-statutory Codes of Practice and guidance. Performance Management arrangements on a team and individual basis. Appropriate Quality Management system in place.	2	2	L		EG SZ

River Tees Port Health Authority Natural England SSSI



Public

To: RTPHA Date: 1 March 2019

From: Corporate Director of Adult and Decision: Committee

Communities

Portfolio: River Tees Port Health Authority

Outcome: Public Health

1 What is the purpose of this report?

1.1 To present to members the proposed changes to the Sites of Special Scientific Interest (SSSI) around Teesmouth and the Cleveland Coast.

2 What is the background to this report?

- 2.1 It was brought to the attention of the Board during the meeting on 7th December 2018 that there are proposed changes to the SSSI around Teesmouth and the Cleveland Coast.
- 2.2 Natural England has reviewed the suite of nature conservation designations in the Teesmouth and Cleveland Coast area, including seven Sites of Special Scientific Interest (SSSI) and the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar Site.
- 2.3 They have notified an enlarged SSSI that includes the majority of the area of the seven previous SSSIs, linking and combining them with substantial extensions. Part of one SSSI (Seal Sands) is not considered to be of special interest and is therefore proposed for de-notification.
- 2.4 Natural England has also recommended to Government that the existing SPA and Ramsar Site be revised to include extensions and additional qualifying interests. Ministers have asked Natural England to consult formally on these proposals.
- 2.5 Natural England was seeking views on:
 - notification of the enlarged Teesmouth and Cleveland Coast SSSI;
 - proposed de-notification of part of Seal Sands SSSI:
 - proposal to extend Teesmouth and Cleveland Coast Special Protection Area (SPA); and
 - proposal to extend Teesmouth and Cleveland Coast Ramsar Site.

- 2.6 The consultation which ran from 31st July 2018 to 30th November 2018 is now closed and Natural England are currently assessing the consultation responses and recommendations will be made to the Board of Natural England in due course. A decision will then be made by 30th April 2019 to either confirm or withdraw the notification, or the notification will cease to exist.
- 2.7 River Tees Port Health Authority contacted PD Ports who provided a copy of their consultation response. They indicated that their response is not confidential and as such is appended to this report for information. (Appendix B).
- 3 Who will this benefit and how?
- 3.1 This will ensure that the Authority is aware of any issues that may have an impact on the Port Health Service, or the ability for the Port to carry out its business.
- 4 Who have we consulted?
- 4.1 This report has been prepared in consultation with relevant stakeholders and officers at the Riparian Authorities.
- 5 How will it deliver our priorities and improve our performance?
- 5.1 This report is for information purposes.
- 6 What are the resource implications (financial, human resources)?
- 6.1 There are no resource implications associated with this report.
- 7 What will be the impact on equality and diversity?
- 7.1 There are no equality and diversity issues as part of this report.
- 8 What will be the impact on our carbon footprint?
- 8.1 There is no direct impact on the carbon footprint as a result of this report.
- 9 Are there any legal considerations?
- 9.1 No.
- 10 What are the risks involved?
- 10.1 There are no risks to the Port Health Service.
- 11 What options have been considered?
- 11.1 The report is for information purposes.
- 12 Recommendations
- 12.1 There are no recommendations to this report.

13 Appendices and further information

- 13.1 Further information including a copy of the proposal and associated maps can be found at https://consult.defra.gov.uk/natural-england-marine/teesmouth-and-cleveland-coast-potential-sp/
- 13.2 Appendix B Consultation Response

14 Background papers

14.1 There are no background papers.

15 Contact officer

Name: Sue Ziolkowski

Address: River Tees Port Health Authority, Belmont House, Rectory Lane,

Guisborough, TS14 7FD

Telephone: (01287) 612404

Email: susan.ziolkowski@redcar-cleveland.gov.uk

Response ID ANON-15NQ-H682-D

Submitted to Teesmouth and Cleveland Coast SPA, Ramsar Site and SSSI Submitted on 2018-11-30 12:58:07

Introduction

1 What is your name?

Name:

Captain Paul Brooks

2 What is your email address?

Email:

paul.brooks@pdports.co.uk

3 What is your organisation?

Organisation:

PD Teesport

4 Would you like your response to be confidential?

Nο

If yes, please explain why you need to keep details confidential. :

5 Do you wish to respond to all consultation questions (SPA, Ramsar Site and SSSI), or just those referring to the SSSI site amendment?

All consultation questions (SPA, Ramsar site and SSSI)

SPA and Ramsar Site: Scientific rationale for the proposed extensions

6 Do you accept the scientific rationale for the proposed site amendments?

No

If no, explain why:

PD Teesport accept the rationale for the inclusion of the additional interest features and the need for protection, however we consider that the protection afforded by the existing designations and regulatory framework is adequate. This is demonstrated by the fact that the populations are growing and water quality is improving within the current protection.

PD Teesport consider that the scientific rationale for the proposed almost tenfold extension (from 1251.50ha to 12226.28ha) is unproven and appears to be largely driven by a desire to meet an arbitrary national target. The proposed increase in the SPA to protect foraging areas would provide each pair of tern with more than 22ha!

If you wish to upload additional files, please do so here.:

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7 Do you have any additional evidence or further comments that you wish to submit in relation to the proposed extension of the SPA or Ramsar Site?

Yes

If yes, please enter your information in the text box below and/or attach any additional files where prompted:

The increased area is largely driven by the requirement to protect areas of sea used by foraging tern but it is not clear what these foraging areas of open sea are being protected from?

It is clear from the evidence that tern are present in these areas, particularly around local colonies at Crimdon Dene for example but a sledgehammer approach appears to have been taken to encompass all of the potential sea and river areas where tern could forage resulting in such a huge increase in the SPA area. Greater consideration should be given to target restrictions on inter-tidal beach areas used by the general public. Restricting the impact of dog walkers, bait diggers and the like would appear of much greater positive impact than the proposed blanket extension of the SPA.

The proposed increased area of designation, largely on the marine side, is considered to be unnecessary and does not give any balance to the need for future developments which are likely to have a major socio-economic impact in an area with high levels of social deprivation (although it is noted that this cannot be assessed as part of the proposal).

Major developments in and around the port have always considered the impact on areas such as the river itself which could have an adverse impact on the SPA populations therefore the proposed extension of the SPA is considered unnecessary.

The evidence suggests that there are large areas which are NOT used for tern foraging yet these areas are still included in the proposed extension.

Please attach any files containing additional scientific evidence related to the Teesmouth and Cleveland Coast potential SPA that is not currently considered in the Departmental Brief here.:

Page 19 of 40

SPA and Ramsar Site: Economic and Social Impacts

8 Do you agree that the Impact Assessment accurately reflects the likely socio-economic effect of the pSPA and pRamsar Site on human activities in and around the site?

No

If no, please provide further details to include: the extent and type of activity; proportion of activity affected by the management of the site; unit costs and other assumptions.:

The Impact Assessment does not accurately reflect the likely socio-economic impact of the proposed extensions to human activities in and around the site as it gives no consideration whatsoever to the potential of the proposed extensions to discourage developers from coming to Teesport due to the perceived difficulties of developing in an SPA and the associated project risks. The natural reaction would be to divert their attentions to alternative ports which do not have similar risks. These alternative ports may not be in the UK.

The concept of sustainable development is already well embedded in projects which fall under the jurisdiction of PD Teesport and we maintain ongoing healthy dialogue with regulators in this regard but we do foresee the proposed extension placing an increased regulatory burden on future developments.

Whilst there is every intention at present to deliver a smooth route through the regulatory framework via the TEP, the efficacy of this has yet to be tested and proven and may be overridden in future by external EU legislation and case law which could undermine the current intentions.

One of the principal reasons that Harbour Authorities have Permitted Development Order powers is to facilitate a rapid response to developers and provide them with the comfort that projects are deliverable in a defined timescale in a very competitive environment and PD Teesport consider that this ability may be hampered by these proposals.

PD Teesport also consider it unreasonable for the consents and conditions for developments which were consented in the legislative environment prevailing at the time to be revisited, at significant cost.

If you wish to upload additional files, please do so here:

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9 Referring to the industry specific sections of the Impact Assessment (Sections 8-10), do you agree that all of the likely impacts have been identified?

Not Answered

Please provide information on any unidentified impacts, and specify which industry(s) your answer refers to.:

The impact assessment significantly makes no attempt to assess the impact of the existence of the SPA to potential investors in the area. The presence of the area will be perceived as a block to development and will represent a significant hurdle for inward investment. This aspect is very difficult to quantify as many investment opportunities may not even consider the area or may use the presence of the proposed extended SPA as a weighting factor that reduces the chance of a development being attracted.

The IA does not accurately assess the financial impact of revisiting extant consents which is an unnecessary burden to developers. This also applies to the ongoing maintenance of the port infrastructure.

The IA highlights the potential need to carry out an IROPI assessment of the consented NGCT development which could have a major cost impact (it cost £3.5m to get the consents in the first instance) and could ultimately put this strategic project at risk.

The report claims an Economic Benefit through the implementation of the scheme however concludes that the cost of quantifying these benefits would be outweighed by the cost in quantifying them, suggesting that the benefits are minimal.

It is good to see that both the Teesmouth National Nature Reserve and RSPB Saltholme attract 25,000 and 80,000 visitors each year but the report does not provide any estimate as to how these numbers may increase (or how the numbers have trended in recent years).

If you wish to upload additional files, please do so here.:

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10 Do you have additional information that would improve the estimation of costs and / or benefits within the Impact Assessment?

Yes

If yes, please provide information on the extent of activity or impact in economic terms, such as financial turnover, employment (total full-time and part-time employees and estimated number of full-time equivalent jobs), and volume of goods.:

The IA does not take into account the cost of additional assessments or the increased complexity of assessments which may be required during the consenting process. This gives rise to further uncertainty for developers and is likely to be a further deterrent.

A further potential impact of the proposed SPA extension to the river area could be the imposition of seasonal construction to major developments within the proposed SPA which could have an impact of £tens of millions. For example, the reconstruction of No.1 quay in Tees Dock was completed at a cost of around £50m over a 3yr period working on a year-round basis with no evidence of any adverse environmental impact. If this was done during a seasonal window, it is likely that these costs would increase by at least 30% or £15m due to repeated mobilisation/demobilisation of contractors. The knock-on effect on port operations would also add significantly to these costs.

If this is then scaled up for say a £200m project then the impact could be either that the project will go elsewhere on the basis of cost and programme or the investment will not happen at all. Let's say the project employs 2,000 people in high value port operations or similar jobs then that could take upwards of £80m out of the local economy with even greater losses for the wider UK economy.

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SPA and Ramsar Site: Comment on the Control of Major Accident Hazards (COMAH)
11 Does the Impact Assessment accurately reflect the likely costs of reviewing the COMAH contingency plans as a result of the proposed amendments to the Teesmouth and Cleveland Coast SPA and Ramsar Site?
No comment
If yes, please state how these specific assessment costs will be derived::
If not, please state why this is the case below::
Please upload any relevant information.: No file was uploaded
12 Do you have any evidence that additional mitigation measures will be required to meet the requirements of COMAH?
No
If so, can you document these costs? :
Please upload any relevant information.: No file was uploaded
SPA: Management of the proposed extensions
13 Do you think the TEP is the best mechanism for the management of Teesmouth and Cleveland Coast pSPA?
Yes
If you answered yes, let us know why below.: Yes, provided it is structured, managed and resourced correctly.
If no, please provide any further comments relating to alternative options for the management of the pSPA.:
SSSI: Your views on the Teesmouth and Cleveland Coast SSSI
14 Do you own or manage land within the Teesmouth and Cleveland Coast SSSI?
Yes
15 Do you accept the scientific rationale behind the notification of this site for its special interest?
Yes
If no, explain why:
Please attach any files containing additional scientific evidence related to the Teesmouth and Cleveland Coast SSSI that is not currently considered here. : No file was uploaded
16 Do you agree that the boundary of the SSSI adequately encompasses the features of special interest?
Yes
If no, explain why:
If you wish to upload additional files, please do so here. : No file was uploaded
17 Do you agree that the operations requiring Natural England's consent are appropriate?
No
If no, explain why:

TEP's MOU does include these activities, but this is not legally binding.

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be designated. e.g. 13b, 14, 19, 23, 24a, 24b, 26.

If you wish to upload additional files, please do so here:

As written, we have some concerns that several of PD Teesport's existing operational activities will require Natural England's consent should the additional area

If you wish to upload additional files, please do so here. : No file was uploaded
18 Do you agree with the Views About Management?
No comment
If no, explain why:
If you wish to upload additional files, please do so here.: No file was uploaded
19 Do you have any additional evidence or further comments that you wish to submit in relation to the notification of the Teesmouth and Cleveland Coast SSSI?
Please add any further comments in the text box below: PD Teesport supports the need for sustainable development taking due consideration of our environmental responsibilities, we also support the evidence for the inclusion of the additional species. We do not support the proposed extension in its current form for the reasons outlined in earlier responses. The inclusion of foraging areas in areas of open sea and which, as proposed, will increase the overall area of the SPA by over 800% is considered completely unnecessary as there is little evidence that there will be any benefit realised by the extension. We recognise that the additional features use these areas for foraging, but this such a huge area that in the event of any disturbance, the birds will just move to another area slightly further away The concept of the TEP is good but whilst everyone has the best of intentions at present, developments in case law or environmental policy could overrule this. The rule of 50 exemption for the inclusion of Ruff could be an example.
Please upload any relevant information.: No file was uploaded
SSSI: Your views on the proposed de-notification of part of the Seal Sands SSSI
20 Do you own or manage any of the land proposed for de-notification?
Yes
21 Do you accept the scientific rationale behind the proposal to de-notify part of the Seal Sands SSSI?
Yes
If no, explain why:
If you wish to upload additional files, please do so here.: No file was uploaded
22 Do you have any additional evidence or further comments that you wish to submit in relation to the proposed de-notification of part of the Seal Sands SSSI?
Please add any further comments in the text box below:
Please upload any relevant information.: No file was uploaded

River Tees Port Health Authority Brexit Update



Public

To: RTPHA Date: 01 March 2019

From: Corporate Director of Adults and Decision: Committee

Communities

Portfolio: River Tees Port Health Authority

Outcome: Public Health

1 What is the purpose of this report?

1.1 To update members on the potential impacts on the Port Health service from Britain's exit from the European Union. Board members last received an update report on 14th December 2018.

2 What is the background to this report?

- 2.1 The UK voted to leave the European Union in the 23 June 2016 EU referendum. The government is currently in discussions with EU representatives to secure a withdrawal agreement prior to the exit date of 29th March 2019.
- 2.2 The main impacts to the Port Health Service will be from imports and exports. The service monitors all imported food and feed from third countries (those countries from outside the EU) that enter through the Port of Tees. Should the UK leave the EU without any trade deal, the following table details the impacts to the Port Health service.

Service Delivery	Impacts on the service following a no deal Brexit
Ship sanitation inspection	No impact - this service is regulated by the International Health Regulations 2005 which the UK adopted through the World Health Organisation.
Ship water samples	No impact - this is a paid for service that ships could request from a private company prior to and post Brexit.
Jetty water samples	No impact - this is a service we provide free of charge through government funding via Public Health England (PHE).
Imported food and feed checks	No impact – there will be no increase in checks required at the port for goods from the EU. Defra have advised RTPHA, that it will be business as usual.

Exports of food and feed	No Impact – the EU will class the UK as a third country and therefore any goods exported to the EU will be required to comply with EU Regulations. As Teesport is not a Border Inspection Post (BIP), we will not be required to issue any Export Health Certificates (EHC) for Product of Animal Origin.
Environmental Permitting	No impact
Food Business	No impact
Inspections	

- 2.3 The Port Health Service attends the BREXIT Task and Finish Group meetings with other members of the Cleveland Local Resilience Forum (CLRF) to discuss potential issues and put any plans necessary in place in the event of a no deal scenario. An officer attended the latest meeting on 7th January 2019.
- 2.4 The Port Health Service also attends the Border Delivery Group Update Meetings in London, to keep up to date with any new information relevant to the Port Health Service. An officer attended the latest meeting by teleconference on 23rd January 2019.
- 2.5 A North East Brexit exercise was carried out on 31st January 2019 to run through hypothetical scenarios for both pre and post Brexit. The exercise was ran at both Strategic and Tactical levels across all three Local Resilience Forums and associated stakeholders. The elements for consideration included business continuity, information management, critical supply chains, transport disruption and cross-border risks. There are no immediate areas for concern at the present time; all relevant stakeholders have business continuity arrangements in place for a no-deal scenario.
- 2.6 It cannot be ascertained at this moment in time what will be the likely outcome of current trade talks between the EU and the UK, however, we are keeping up to date with stakeholders, such as Department for Environment, Food and Rural Affairs (Defra), Animal and Plant Health Agency (APHA), UK Border Force, Customs and the Food Standards Agency (FSA) on the potential impacts, and likely changes that would occur depending on different scenarios. At present, all stakeholders are planning for a worst-case scenario until they are informed otherwise.
- 2.7 We will continue to keep up to date with Brexit negotiations, work with our stakeholders to provide information about potential impacts and will provide any relevant information to the Board during future meetings.

3 Who will this benefit and how?

3.1 By keeping up to date with Brexit negotiations, this will ensure that the Authority is kept fully up to date and prepared for any changes that may need to be made.

4 Who have we consulted?

4.1 Senior Officers of the Riparian Authorities.

- 5 How will it deliver our priorities and improve our performance?
- 5.1 By keeping up to date with Brexit negotiations we will be fully prepared for any eventuality.
- What are the resource implications (financial, human resources)?
- 6.1 There are no resource implications at the current time.
- 7 What will be the impact on equality and diversity?
- 7.1 There are no equality and diversity issues as part of this report.
- 8 What will be the impact on our carbon footprint?
- 8.1 There is no direct impact on the carbon footprint as a result of this report.
- 9 Are there any legal considerations?
- 9.1 There are no legal considerations at this time.
- 10 What are the risks involved?
- 10.1 Failure to keep abreast of Brexit negotiations and outcomes would mean that we would not be fully prepared as a service when we leave the EU.
- 11 What options have been considered?
- 11.1 The report is for information purposes.
- 12 Recommendations
- 12.1 For information only.
- 13 Appendices and further information
- 13.1 There are no appendices to this report.
- 14 Background papers
- 14.1 There are no background papers to this report.
- 15 Contact officer

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2018-19 Financial Position Update

Public

To: RTPHA **Date**: 1st March 2019

From: Deputy Treasurer Decision: Committee

Portfolio: Health & Social Well Being

Outcome: Business Improvement

1 What is the purpose of this report?

1.1 To update Members on the financial position of the Authority at the end of January 2019 (Period 10) and to highlight any variances against the 2018-19 approved budget.

2 What is the background to this report?

2.1 At its meeting on 1st December 2017 the Authority approved a net budget position of £112,350 funded by the following contributions from the riparian councils of:

Middlesbrough	£16,853
Stockton	£34,829
Redcar & Cleveland	£58,421
Hartlepool	£2,247

- 2.2 The Authority's budget for 2018/19 was set based upon the service plan set out by Redcar and Cleveland Borough Council who manage the delivery of Port Health Services to the Tees Valley area.
- 2.3 The budget was based upon the service delivery plan for River Tees Port Health Authority which was approved by the joint board on 1st June 2018 and has been influenced by Redcar and Cleveland Borough Council's Shaping Our Future project, which reviews all service delivery and partnership arrangements in the Council for value for money.
- 2.4 The net budget has increased from £106,400 for the previous year to £112,350 at the start of 2018/19 primarily because of fluctuations in demand led income targets up to the third quarter of 2017/18. Prudent income budget levels had been set in 2018/19 to reflect this.
- 2.5 **Appendix 1** provides a detailed comparison of the operating budget for the Authority, which is analysed by individual type of spending against the actual to date expenditure and income.

2.6 A summary of the financial position (at the end of January) is set out in the table below:

PERIOD 10 ACTUAL AND PROJECTED OUTTURN 2018/19

	Original	Actual as at	Projected	Variance
	Budget	Period 10	Outturn	Budget
		/ /		to
	2018/19	31/01/2019	2018/19	Outturn
<u>Expenditure</u>				
Employee Costs	90,000	55,609	67,400	(22,600)
Other operating Costs	48,900	46,847	48,850	(50)
Re-distribution of in-year				
surplus	0	20,000	20,000	20,000
Total Costs	138,900	122,456	136,250	(2,650)
Income including grants	(26,550)	(25,574)	(28,900)	(2,350)
Net Expenditure	112,350	96,882	107,350	(5,000)
<u>Funding</u>				
Middlesbrough BC	16,853	14,533	16,103	750
Stockton BC	34,829	30,034	33,279	1,550
Hartlepool	2,247	1,938	2,147	100
Redcar & Cleveland BC	58,421	50,377	55,821	2,600
Total Funding	112,350	96,882	107,350	(5,000)
Net	0	0	0	0

2.7 Key Issues

The major variances expected between the projected outturn position for 2018/19 and the original budget approved in December 2017 are as follows:

Staff Costs: Underspent by £22,600 – As reported to the Board previously, it had been difficult to recruit to the vacant post however an appointment was made at the end of June 2018. The post was appointed at grade D+ to reflect the post holder's current qualifications. The budget allows for grade G and the post holder will progress to this on completion of the required qualifications, planned for July 2019. This was the main reason for the redistribution of £20,000 in relation to the in-year surplus.

Income: Over achieved by £2,350 - The feed hygiene grant (£1,500) had been received in previous years but not expected in the current financial year and therefore not included in the budget. Officers have now managed to secure this funding in the current year. In addition, transport costs associated with Brexit meetings will be refunded to the Authority by way of a grant currently amounting to £850, this was not known at budget setting and therefore not part of the original budget.

As income is critical to ensuring a balanced outturn position for the service the income position is being closely monitored each month to ensure that any issues can be identified as soon as possible.

- In line with the previous briefing to Members on Fees & Charges, additional analysis of income received is given in each budget monitoring report to assist with Members understanding of the budget and year to date position.
- 2.8 A breakdown of the income received up to the end of January for the 2018/19 financial year is provided below and further analysis is available in **Appendix 1**:

2.9	Account	Description	Type of Service	2016/17 Full Year Income £	2017/18 Full Year Income £	2018/19 Period 10 YTD Income £
	R9305	Fees – Environmental	Sanitation Certificates	19,290	20,140	16,080
	1,5505	Health & Pest control	Other Fees & Charges	13,615	12,826	9,494
			Total Fee Income	32,905	32,966	25,574
			Grants	1,500	1,500	2,350
			Total Income	34,405	34,466	27,924

2.10 Overall Financial Position – Based on the projected outturn figures set out above, the Authority would have an underspend of £5,000. This forecast is based on current information up to the end of January and assuming income will be achieved as per the budget. Experience shows that the income trends vary over the year and are difficult to predict, therefore the position will be continually monitored and reviewed throughout the rest of the year.

3 Who will this benefit and how?

- 3.1 Timely, accurate and up to date financial information is a key characteristic of good corporate governance. Members need to have these details and be aware of any issues against the agreed budget when making decisions on service delivery, staffing, training and other regulatory matters.
- 3.2 A well-managed and responsive service which uses its financial assets properly will create and maintain a better relationship with external stakeholders.

4 Who have we consulted?

- 4.1 The original budget was set in consultation with Members, the Treasurer and Clerk for the Authority and the Environmental Health (Commercial) team at Redcar and Cleveland Borough Council.
- 4.2 The financial position and any issues in year have been discussed between principal environmental health officers of the riparian authorities and finance staff as required. Any critical issues or pressing budget matters would be discussed and consulted with the Chair and Vice Chair as appropriate.

5 How will it deliver our priorities and improve our performance?

- 5.1 The approved budget ensures that RTPHA can discharge its functions on behalf of the riparian authorities.
- 5.2 Finance is an integral element in delivering quality services and improving performance.

6 What are the resource implications (financial, human resources)?

- 6.1 The resource implications are outlined in the main body of the report.
- 7 What will be the impact on equality and diversity?
- 7.1 There are no equality and diversity issues as part of this report.
- 8 What will be the impact on our carbon footprint?
- 8.1 There is no direct impact on the carbon footprint because of this report.
- 9 Are there any legal considerations?
- 9.1 There are no specific legal issues to consider because of this report.
- 10 What are the risks involved?
- 10.1 The information in the report acts as a management control to ensure that the financial activities of the Authority are being managed properly and resources used effectively. Without setting a budget and providing monitoring information the Authority would not be able to ensure that value for money is secured in pursuit of its objectives. Decisions made may be poorly informed or the wrong decision made without accurate and up to date information.
- 11 What options have been considered?
- 11.1 The report is predominantly for information purposes although there are always options as to whether to use reserves for another specific purpose.
- 12 Recommendations
- 12.1 It is recommended that members discuss the financial position of the Authority as set out in Appendix 1 and question any variances from the original budget as appropriate
- 13 Appendices and further information
- 13.1 Appendix 1 Budget detail and Projected Outturn position for 2018/19.
- 14 Background papers
- 14.1 Budget Report 2018/19 & Medium Term Financial Plan.

15 Contact officer

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RIVER TEES PORT HEALTH AUTHORITY POSITION AT END OF JANUARY 2019 – Period 10

		-		Projected	
		Budget	Actual	Outturn	Maniana.
D4000	Decia Day	2018/19	2018/19	2018/19	Variance
R1000 R1001	Basic Pay NI Contributions	67,550	41,861	50,300	(17,250)
R1001	Overtime	7,050 700	4,074 289	5,150 350	(1,900)
R1003	Superann Contributions	10,800	6,738	7,600	(350) (3,200)
R1063	Other Allowances	2,500	1,270	2,500	(3,200)
R3300	Public Transport	2,500	820	2,500 850	850
R3400	Car Allowances	1,400	557	650	(750)
110-100	Cai Allowances	90,000	55,609	67,400	(22,600)
R4000	Tools & Equipment Purchase	800	275	1,000	200
R1650	Training Expenses	1,000	456	500	(500)
R4200	Clothing, Uniforms & Laundry	200	295	300	100
R4300	Printing & Stationery	100	0	100	0
R4305	Photocopier Usage	50	0	50	0
R4400	Services - Professional Fees	40,700	40,668	40,700	0
R4507	Mobile Phones	350	360	450	100
R4531	Computer Software	4,000	3,073	4,000	0
R4701	Subscriptions	1,050	1,250	1,250	200
R4960	Public Liability Insurance	650	470	500	(150)
R4962	Surplus/Deficit	0	20,000	20,000	20,000
114302	Odipido/Denoit	48,900	46,847	68,850	19,950
	Other Income	•	,	,	,
R9000	Government Grants	0	0.00	2,350	(2,350)
110000	Covornment Cranto	ŏ	0.00	2,350	(2,350)
DOSOE	Fore Fusing months Hoolth & Boot countral			,	(, /
R9305	Fees - Environmental Health & Pest control	40.550	40.000	40.550	0
B0376	Sanitation Certificates	16,550	16,080	16,550	0
B0377	High Risk Products Imports	100	834	100	0
B0378 B0379	Organic Certificates RTPHA Permits (annual fee)	350 2,300	540	350	0
	,	2,300 4,050	2,316	2,300	0
B0380	Plastic Declaration		1,586	4,050	0 0
B0381	Water Sampling	3,200 26,550	4,218 25,574	3,200 26,550	0
		<u> </u>			
	Total Payable	112,350	76,882	107,350	(5,000)
R9102	Other Grants & Contributions - Other Organisa	itions			
B0382	RTPHA - Middlesbrough Council	16,853	14,533	16,853	0
B0383	RTPHA - Stockton Council	34,829	30,034	34,829	0
B0384	RTPHA - Hartlepool Council	2,247	1,938	2,247	0
B0385	RTPHA - Redcar & Cleveland Council	58,421	50,377	58,421	0
	Total Due from Riparian Authorities	112,350	96,882	112,350	0
	. Stat. 2 do Hom repairan / telifornio	1.2,000	30,002		
	Total for Cost Centre	0	0	0	(5,000)

Member Report

Budget 2019-2020 and Medium Term Financial Plan



Public

River Tees Port Health Authority To:

Date:

1st March 2019

(RTPHA)

From:

Corporate Director for Resources

Decision type:

For information

Portfolio: Health and Social Wellbeing **Forward Plan**

Outcome: Business improvement reference:

1 What is the purpose of this report?

- To recommend a budget for approval by the Authority for the 2019/20 financial year. 1.1 which confirms the funding levels required from each of the four contributing local authorities.
- 1.2 To consider this budget in the context of a Medium Term Financial Plan (MTFP) for the Authority covering the period 2019/20 to 2022/23. This will assist the Authority with its own planning processes but will ensure that there is clarity about the resources needed from individual local authorities over the medium term.

What is the background to this report? 2

At its meeting on 2nd March 2018 the Authority approved a net budget position of 2.1 £112,350 funded by the following contributions from the riparian councils of:

Middlesbrough	£16,853
Stockton	£34,829
Redcar & Cleveland	£58,421
Hartlepool	£2,247

- 2.2 The Treasurer is recommending that the budget for the River Tees Port Health Authority for the 2019/20 budget is set based on the existing level of service provided. The Authority is required to meet the statutory deadline of setting a balanced budget by 11th March for the next financial year, as set out under the Local Government Act 2003.
- 2.3 The budget for approval also needs to be considered in the context of the 2018/19 financial position which is expected to be balanced, or slightly underspent, but has little capacity for any additional costs or reductions in income without the use of general reserves.

Budget for 2019/20

2.4 As the Board is aware, the financial landscape facing local authorities at present continues to be extremely challenging and thus change programmes and significant cost cutting measures are being introduced to ensure the financial sustainability of these organisations over the medium to long term. The development of the 2019/20 budget for the Port Health Authority is therefore set in this context and is constrained by affordability issues for the contributing authorities.

- 2.5 Since Redcar and Cleveland BC has taken the lead role on the Port Health function, efficiencies continue to be achieved by co-locating this team with the Council's environmental health (Commercial) team. This principle was used to further refine the staffing resource needed as part of the shaping our future proposals to deliver the Port Health function.
- 2.6 As part of Shaping our Future, an exercise was undertaken to estimate how much time is needed for each specific duty and whether it can be done within the staffing time allocated. The Principal Environmental Health officer did a zero-based review at the time of setting the 2014/15 budget and is still confident that, the service can continue to be delivered to a high quality within the current budget envelope.
- 2.7 All non-pay budgets for 2019/20 have also been reviewed for necessity and only included where there is a clear business need for this expenditure to be spent. The total non-pay budget has slightly increased by £2,600 to £51,500 with much of this being allocated to the service level agreement for professional services between RCBC and the Port Health Authority. This includes the staffing recharge for the Principal Environmental Health Officer and the various central support costs including finance and democratic services. Details of this can be seen at Appendix 1.
- 2.8 The overall budget for income has increased by £4,800 to £31,350 following a detailed analysis of income trends over the last 3 years. This review has resulted in more realistic income targets however, Members should be aware of the demand led nature of the service and fluctuations could still arise.
- 2.9 Income budgets for the subsequent 3 years have been increased in line with the Consumer Price Index (CPI), currently at 2% and the Authority's fees and charges have been increased by 2% except those fees set by APHA and DEFRA. The updates from APHA and DEFRA have been reflected as directed. The fees and charges are detailed in Appendix 2. Members are requested to approve these increases to fees and charges levels as part of setting the budget for 2019/20.
- 2.10 The requirement for a bad debt provision was established in 2016/17 and a provision of £250 was created in 2017/18. At the time of this report, debt levels are stable and there are currently no debts raising concerns and so the existing bad debt provision is appropriate and does not need to be increased.
- 2.11 Although the potential effects of Brexit are still relatively unknown at this present time, Officers have agreed it is not possible to reliably predict the impact on the budget. It is probable any changes would be so significant that any budget in place will need substantial re-working and a further report will be brought to a future Board meeting as appropriate.
- 2.12 The current amount held by the Authority in its general reserves is £36,900 and this amount is held as a buffer and acts as protection against unexpected or unbudgeted costs. If the Authority was overspent in any financial year it would have to ask for additional contributions from each of the four local authorities to balance its budget. The reserve amount is equivalent to being able to run the service for an additional 2 months without any contributions required and allows £16,900 could be released to deal with some unexpected initial implications of the outcome of Brexit.

- 2.13 No calls have been made against general reserves during the last five financial years, indeed the reserve has increased due to one-off underspends on salaries. In addition, in the current year the Authority redistributed £20,000 of in-year underspends on salaries. Although the management of the budget has been an overall success in recent years, the budget monitoring position of the Council has become tighter as the net budget has reduced. The 2018/19 financial position is currently forecasting a small underspend and so the need to utilise reserves is not anticipated this year, subject to the outcome of Brexit.
- 2.14 It is good practice to review the level of reserves at the start of each financial year and compare these against the risks faced by the Authority. The budget being recommended for the 2019/20 financial year is very lean and has little capacity for unforeseen costs. The main risk to the service in financial terms relates to a legal claim for malpractice against the officers employed by RTPHA. Although insurance cover is held through the Council, this may not cover all eventualities and therefore some financial reserves should be held as a contingency. The probability of this happening though is extremely remote.
- 2.15 In setting the level of reserves for 2019/20, we have also considered whether there are any operational requirements that may need to be funded from reserves. The options considered include additional training opportunities and purchase of specialist equipment. Currently, there are no fee bearing training opportunities that would be of any relevance to the existing staff, and it is not anticipated that any additional equipment will be required in the next financial year. The reserve may be required during any transition period following Brexit, for additional training, staff costs, or equipment depending on the changes to the trade requirements between the UK and the EU. It is therefore recommended that the reserve is kept at its current level until further developments regarding Brexit, and any potential consequences, are made clearer.
- 2.16 As the risks of an overspend against budget or legal action not covered by insurance are difficult to estimate and to assess a probability for and as there are no requirements for any investment in additional training or equipment and the uncertainty of Brexit, it is recommended that reserves are maintained at their current level of £36,900. Members' views are sought on this and their comfort in the level of reserves held.

Medium Term Financial Plan

- 2.21 At previous meetings, there has been discussion around the development of a Medium Term Financial Plan (MTFP) for the Authority and how this could help Members in the management/stewardship of the budget position and their financial resources. This was first considered by Members at the December 2013 meeting and this resulted in the formal presentation and approval of the Authority's first MTFP in December 2014. This is therefore the fifth annual MTFP prepared for Members consideration.
- 2.22 There are several benefits in developing a MTFP for the Authority:
 - It would move the focus of resource discussions to a multi-year perspective rather than focusing on current year's activities;
 - It would aid financial planning by allowing one-off items of income and

- expenditure to be managed more efficiently through a regular dialogue on precept levels and the use of general reserves;
- It would provide better quality information for contributing authorities in relation to their MTFPs and their likely precepts levels;
- It is considered best practice in relation to how public sector authorities should govern their financial management activities.
- 2.23 A summary of the proposed budget for 2019/20 and the medium term financial plan for the subsequent three financial years is set out below. The detailed spend and income budget can be seen at Appendix 3.

Fun an ditura	Budget 2018/19	Proposed Budget 2019/20	Proposed Budget 2020/21	Proposed Budget 2021/22	Proposed Budget 2022/23
<u>Expenditure</u>					
Employee Costs	90,000	88,500	93,850	95,750	97,600
Other operating Costs	48,900	51,500	52,350	53,250	54,100
Total Costs	138,900	140,000	146,200	149,000	151,700
Income	-26,550	-31,350	-32,000	-32,650	-33,300
Contribution to/from Reserves	0	0	0	0	0
Net Expenditure	112,350	108,650	114,200	116,350	118,400
Reserves B/fwd. Bad Debt Provision	20,000 250	36,900 250	36,900 250	36,900 250	36,900 250
<u>Funding</u>					
Middlesbrough BC	16,853	16,298	17,130	17,453	17,760
Stockton BC	34,829	33,681	35,402	36,069	36,704
Hartlepool	2,247	2,173	2,284	2,327	2,368
Redcar & Cleveland BC	58,421	56,498	59,384	60,051	61,568
Total Funding	112,350	108,650	114,200	116,350	118,400
Net	0	0	0	0	0

2.24 Financial Assumptions

The MTFP for the period 2019/20 to 2022/23 has been developed around some core assumptions. Some of these have already been set out above in explaining the basis for the 2019/20 budget. However, it is worth setting these out again as any future discussion on the MTFP would need to focus on these issues.

Staffing costs are based on the same structure as in 2018/19 however

adjustment has been made to take account of 1 employee who is currently on a lower grade until qualification is achieved. It is estimated the grade will increase from July 1st 2019. Any further staff reductions in terms of the RCBC structure would not affect RTPHA activities given the conclusion that staff resources are the minimum needed to provide the service;

- No new legislation is introduced or the scope of the service extended over this period. If this did happen the staffing budget would need to be revisited;
- Non-pay budgets remain at current levels and there is no further demand on RCBC professional service, ICT resources, supplies and services, training etc. over the 2% increase already budgeted into the MTFP;
- Income levels remain at budgeted levels over the MTFP period;
- Local authorities can maintain the proposed level of contribution for 2019/20 and marginally increase this over the MTFP period to reflect expected increases in staffing costs due to national pay agreements
- There will be no call on earmarked reserves over the MTFP period. Any increases or decreases to this position will need formal ratification by Members and an annual review will be undertaken by the Treasurer regarding the level that is deemed prudent.
- 2.25 After an initial decrease in 2019/20, the net cost and funding requirements increase marginally over the remainder of the medium term but this is still regarded as a minimal investment to fulfil their port health responsibilities. Members do not need to formally approve the MTFP but any comments or views are welcome on both the content and the frequency of future reporting.

3 Who will this benefit and how?

- 3.1 Timely, accurate and up to date financial planning information is a key characteristic of good corporate governance. Members need to have these details and be aware of any issues against the agreed budget and medium term financial plan when making decisions on service delivery, staffing, training and other regulatory matters.
- 3.2 A well-managed and responsive service which uses its financial assets properly will create and maintain a better relationship with external stakeholders.

4 Who have we consulted?

- 4.1 The original budget for 2019/20 and the medium term financial plan have been set in consultation with the Treasurer and Clerk for the Authority, and the Environmental Health (commercial) team at Redcar and Cleveland Council.
- 4.2 The financial position, 2019/20 budget and medium term financial plans have been discussed between environmental health managers of the riparian authorities and finance staff as required. In general, there are no major issues in terms of what is being proposed within this report

5 How will it deliver our priorities and improve our performance?

5.1 The functions of the Authority discharge each of the Tees Valley Council's

- obligations around Port Health duties
- 5.2 Finance is an integral element in delivering quality services and improving performance.
- 6 What are the resource implications (financial, human resources)?
- 6.1 The resource implications are outlined in the main body of the report.
- 7 What will be the impact on equality and diversity?
- 7.1 There are no equality and diversity issues as part of this report.
- 8 What will be the impact on our carbon footprint?
- 8.1 There is no direct impact on the carbon footprint because of this report.
- 9 Are there any legal considerations?
- 9.1 There are no specific legal issues to consider because of this report.
- 10 What are the risks involved?
- 10.1 The information in the report acts as a management control to ensure that the financial activities of the Authority are being managed properly and resources used effectively. Without setting a budget and providing robust financial planning information the Authority would not be able to ensure that value for money is secured in pursuit of its objectives. Also, decisions made may be poorly informed or the wrong decision made without accurate and up to date information.
- 11 What options have been considered?
- 11.1 The report is instrumental in terms of setting the strategic financial direction for the Authority going forwards. This is a statutory duty for Members to plan to manage their financial affairs, so no options are available
- What is the reason for the recommended option?
- 12.1 Not applicable for this report
- 13 Recommendations
- 13.1 It is recommended that Members:
 - 1) Approve the 2019/20 budget and the associated funding requirements based upon the information in Appendix 1;
 - 2) Approve the 2019/20 schedule of fees and charges, set out at Appendix 2, for implementation from 1st April 2019
 - 3) Discuss the level of general reserves being held for 2019/20 and whether these are appropriate for the plans and operating context of the Authority;
 - 4) Discuss the financial assumptions used to prepare the Medium Term

Financial Plan and any adjustments that may be required.

14 Appendices and further information

14.1 Supplementary information for the proposed budget for 2019/20 and MTFP:

Appendix 1 – RCBC Central Support Services.

Appendix 2 – RTPHA Fees & Charges.

Appendix 3 – Detailed Proposed Budget.

15 Background papers

15.1 Budget Report 2018/19 – submitted to meeting on 02/03/2018.

16 Contact officer

16.1 Name: Maggie Burns

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Appendix 1

River Tees Port Health Authority Analysis of Central Support Service Charges

The anticipated recharge for Services provided by Redcar & Cleveland Borough Council for each financial year is as follows:

Basis of Calculation	18/19 Budget £	19/20 Budget £	20/21 Budget £	21/22 Budget £	22/23 Budget £
(74 Hours)	1,313	2,601	2,650	2,700	2,750
Robson (89					
Hours)					2,300
	2,737	4,753	4,850	4,950	5,050
Sue Fenwick	3 232	3 297	3 350	3 400	3,450
(133110013)	3,232	3,291	3,330	3,400	3,430
Sue Ziolkowski (40% of post)	19,442	19,831	20,250	20,650	21,050
Invoice based	1,616	1,648	1,681	1,715	1,749
2 employees	1,263	1,288	1,314	1,340	1,367
2 employees	253	258	263	268	273
2 employees (9. 1sq.m)	5,070	5,172	5,275	5,381	5,489
2 employees	1,818	1,854	1,891	1,929	1,968
	323	330	336	343	350 40,750
	Calculation Maggie Burns (74 Hours) Anthony Robson (89 Hours) Sue Fenwick (135 Hours) Sue Ziolkowski (40% of post) Invoice based 2 employees 2 employees (9. 1sq.m)	Maggie Burns (74 Hours) 1,313 Anthony Robson (89 Hours) 1,424 2,737 Sue Fenwick (135 Hours) 3,232 Sue Ziolkowski (40% of post) 19,442 Invoice based 1,616 2 employees 1,263 2 employees 9, 1,970 2 employees 1,818	Calculation Budget £ Budget £ Maggie Burns (74 Hours) 1,313 2,601 Anthony Robson (89 Hours) 1,424 2,152 Sue Fenwick (135 Hours) 3,232 3,297 Sue Ziolkowski (40% of post) 19,442 19,831 Invoice based 1,616 1,648 2 employees 1,263 1,288 2 employees 253 258 2 employees (9. 1sq.m) 5,070 5,172 2 employees 1,818 1,854	Calculation Budget £ Budget £ Budget £ Maggie Burns (74 Hours) 1,313 2,601 2,650 Anthony Robson (89 Hours) 1,424 2,152 2,200 2,737 4,753 4,850 Sue Fenwick (135 Hours) 3,232 3,297 3,350 Sue Ziolkowski (40% of post) 19,442 19,831 20,250 Invoice based 1,616 1,648 1,681 2 employees 1,263 1,288 1,314 2 employees 253 258 263 2 employees (9. 1sq.m) 5,070 5,172 5,275 2 employees 1,818 1,854 1,891	Calculation Budget f Budget f

Appendix 2

Income Type	Basis for charge	Increase	18/19 Budget	18/19 YTD Activity to Pd9	18/19 Projected Outturn	18/19 Actuals at 19/20 Values	Rounded Budget 19/20	Increase from 18/19 to 19/20
Sanitation	АРНА	Average of						
Certificates	Recommendation	4.5%	16,550	14,570	16,550	17,295	20,000	3,450
High Risk Products Imports	Officer time & analyst fees	2.0%	100	391	100	102	150	50
Organic Certificates	DEFRA Recommendation	Currently Unchanged	350	450	350	350	400	50
RTPHA Permits (annual fee)	DEFRA Recommendation	Currently Unchanged	2,300	2,316	2,300	2,300	2300	0
Plastic Declaration	Officer time & analyst fees	2.0%	4,050	1,541	4,050	4,131	4000	-50
Water Sampling	Officer time & analyst fees	2.0%	3,200	4,219	3,200	3,264	4500	1300
			26,550	23,487	26,550	27,442	31,350	4,800

APHA Recommended Charges

Ship Sanitation Charges

Tonnage	18/19	19/20
Up to 1000	90	95
1001 - 3000	125	130
3001 - 10000	190	200
10001 - 20000	245	255
20001 - 30000	320	330
Over 30000	375	390
Vessels 50-1000 Persons	375	390
Vessels 1000+ Persons	640	665
Extensions	60	65

Appendix 3 River Tees Port Health Authority - 18/19 Budget 19/20 Draft Budget plus 3-year plan

New						
Code		18/19	Draft 19/20	20/21	21/22	22/23
		Budget	Budget	Budget	Budget	Budget
R1000	Salaries - Basic Pay	67,550	66,850	70,950	72,400	73,850
R1001	Salaries - National Insurance	7,050	6,900	7,400	7,550	7,700
R1003	Salaries - Overtime	700	700	750	750	750
R1006	Salaries - Superannuation	10,800	10,700	11,350	11,600	11,800
R1063	Other Allowances	2,500	2,550	2,600	2,650	2,700
R3300	Public Transport	0	0	0	0	0
R3400	Car Allowances	1,400	800	800	800	800
		90,000	88,500	93,850	95,750	97,600
R1650	External Training	1,000	700	700	700	700
R4000	General Equipment	800	500	500	500	500
R4200	Clothing & Uniforms	200	200	200	200	200
R4300	Printing & Stationery	100	100	100	100	100
R4305	MFD Recharge (Printing)	50	50	50	50	50
R4400	Analysts Fees	4,500	5,000	5,100	5,200	5,300
R4400	External Audit Fees	450	450	450	450	450
R4400	Publicity	0	0	0	0	0
R4400	Court Evidence Costs	0	0	0	0	0
R4400	SLA Agreement	35,750	38,450	39,200	40,000	40,750
R4503	Postage	0	0	0	0	050
R4507	Mobile Phones	350	350	350	350	350
R4531	Computer Software	4,000	4,000	4,000	4,000	4,000
R4610 R4701	Substitutions	1.050	1 200	0 1,200	0 1,200	1 200
R4960	Subscriptions Insurance	1,050 650	1,200 500	500	500	1,200 500
R4964	Contribution to bad debt provision	030	0	0	0	0
114304	Contribution to bad debt provision	48,900	51,500	52,350	53,250	54,100
R9305	Fees - Environmental Health & Pest control					
B0376	Sanitation Certificates	16,550	20,000	20,400	20,800	21,200
B0377	High Risk Products Imports	10,330	150	150	150	150
B0377	Organic Certificates	350	400	400	400	400
B0379	RTPHA Permits (annual fee)	2,300	2,300	2,350	2,400	2,450
B0380	Plastic Declaration	4,050	4,000	4,100	4,200	4,300
B0381	Water Sampling	3,200	4,500	4,600	4,700	4,800
20001	water camping	26,550	31,350	32,000	32,650	33,300
	Total Budget	112,350	108,650	114,200	116,350	118,400
	Amount held in Reserves	20,000	36,900	36,900	36,900	36,900
	Bad Debt Provision	250	250	250	250	250
	Contributions required based on agreed Option 2c) as per Board meeting 26/3/2010	18/19	19/20	20/21	21/22	21/22
	Middlesbrough 15%	16,853	16,298	17,130	17,453	17,760
	Stockton 31%	34,829	33,681	35,402	36,069	36,704
	Hartlepool 2%	2,247	2,173	2,284	2,327	2,368
	Redcar & Cleveland Borough Council	=, = ···	_,3	_, _ ,	_, ~_ ·	_,
	52%	58,421	56,498	59,384	60,501	61,568
		112,350	108,650	114,200	116,350	118,400