



RIVER TEES PORT HEALTH AUTHORITY
FRIDAY, 12 JUNE 2026 AT 10.00 AM
CIVIC CENTRE, RIDLEY STREET, REDCAR TS10 1TD

CONTACT
Sue Fenwick
01642 444413
3 June 2026

CIRCULATION

Councillors I Blades, R Buglass, C Cawley, D Coupe, W Davies, M Fairley,
T Furness, P Gavigan, P Grogan, L Hall, I Hart, L Hurst, S Hussain, E Johnson, M
Mazi, A Napper, P Weston
Chief Executive
The Press [except for Confidential item(s)]

A G E N D A

	<u>Pages</u>
1. To elect a Chair for the Authority (from Middlesbrough Borough Council) for the ensuing Municipal Year 2026/27	
2. To elect a Vice-Chair for the Authority (from Stockton on Tees Borough Council) for the ensuing Municipal Year 2026/27	
3. Apologies for Absence	
4. Declarations of Interest	
5. To confirm the minutes of the meeting held on 6 March 2026	3 - 5
6. Nominations to the River Tees Port Health Authority 2026/27 and dates of future meetings	6 - 8
7. Performance Summary for River Tees Port Health Authority February 2026 to April 2026	9 - 12
8. Current and Emerging Risks	13 - 16
9. Service Plan 2026 to 2027	17 - 39
10. Memorandum of Understanding	40 - 45
11. Constitution for Approval	46 - 81
12. Risk Management	82 - 98

13.	Enforcement Policy 2026	99 - 111
14.	Sampling Policy 2026	112 - 117
15.	Financial Outturn Position for 2025/26 and update for 2026/27 financial position	118 - 124
16.	River Tees Port Health Authority 2025/26 - Internal Audit Report	125 - 131
17.	Any items that the Chair certifies as urgent	

Friday, 6 March 2026

RIVER TEES PORT HEALTH AUTHORITY

A meeting of the River Tees Port Health Authority was held on Friday, 6 March 2026 at the Civic Centre, Ridley Street, Redcar TS10 1TD.

PRESENT Councillor G Allen (Chair)
Councillors D Coupe, P Gavigan, P Grogan,
L Hall, I Hart and M Mazi.

OFFICIALS L Evans, S Fenwick, E Grunert and D Dobson.

33 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors I Blades, C Cawley, W Davies, M Dodds, M Fairley, L Hurst, S Hussain and E Johnson.

34 **DECLARATIONS OF INTEREST**

None

35 **TO CONFIRM THE MINUTES OF THE MEETING HELD ON 12 DECEMBER 2026**

RESOLVED that the minutes of the meeting held on 12 December 2025 be confirmed as a correct record.

36 **PERFORMANCE SUMMARY FOR RIVER TEES PORT HEALTH AUTHORITY - NOVEMBER 2025 TO JANUARY 2026**

The Executive Director of Growth, Enterprise and Environment presented a report which gave a summary of the performance of the River Tees Port Authority from 1 November 2025 to 31 January 2026 and answered Members questions in relation to it.

RESOLVED that the information in the report be noted

37 **CURRENT AND EMERGING RISKS**

The Executive Director of Growth, Enterprise and Environment submitted a report which gave details of several current and emerging risks to Great Britain from imported food and feed that have an impact on the River

Friday, 6 March 2026

Tees Port Health, including Foot and Mouth Disease, African Swine Fever, Peste de Petits Ruminants and Lumpy Skin Disease.

The report advised that currently Great Britain was 'disease free' from these animal diseases and the government had introduced additional controls to ensure that this was retained.

However, since the report had been published Officers had been made aware of an outbreak of Foot and Mouth disease in Cyprus.

RESOLVED that the information in the report be noted.

38

REVIEW OF CURRENT FEES AND CHARGES

The Executive Director for Growth, Enterprise and Environment presented advised Members that fees and charges must be reviewed annually to reflect the service to customers. The current fees and charges were reviewed

This review considered the time taken for carrying out chargeable activities the national annual pay award of 3% plus on costs for 2026/27, and change charges for analyst fees, transport costs etc. The average increase across charges being 4.5%.

Members were advised that one new fee/charge would be implemented for was the fee for an extension of a Ship Sanitation Certificate. The Associated Authorities sets the fees and charges for this work, and historically this Authority charged for the service as it was never requested. However, during the period of requests for an extension of a Ship Sanitation Certificate had been received anticipated that the charges would apply from 01 April 2026.

Members were reminded that under the legislation, Authorities must have adequate revenue to carry out the necessary checks. It was recognised that this may be on an in-year basis. However, it was acceptable that Authorities structure regime based on estimates and adjust them on an annual basis to ensure full cost recovery over the longer term.

Members were asked to note that not all service requirements were chargeable following was a list of services that were not cost recoverable:

- Monitoring of imported food and feed and food contact materials;
- Providing advice and information to ship and import agents;
- Responding to service requests;
- Investigating infectious diseases;
- Food hygiene and standards inspections to the businesses at the Port;
- Invasive species monitoring (Health Security Agency); and,
- Attending relevant meetings and liaising with riparian Officers and other

Friday, 6 March 2026

RESOLVED that the changes to the fees and charges for 2026/27 be approved.

39 **2026/27 FINANCIAL POSITION UPDATE**

The Treasurer presented a report which gave Members an update on the financial position of the Authority at the end of January 2026 (Period 10), it highlighted any variances against the 2025/26 approved budget and the estimated reserves balance.

RESOLVED that the information in the report be noted

40 **ANY ITEMS THAT THE CHAIR CERTIFIES AS URGENT**

No items were certified as urgent.



Member Report

Nominations to the River Tees Port Health Authority 2026/27 and dates of future meetings

Report to: River Tees Port Health Authority

Report from: Deputy Clerk to the River Tees Port Health Authority

Report Date: 12 June 2026

HEADLINE POSITION

1.0 Summary of report

- 1.1** The purpose of this report is to advise Members of the nominations to the River Tees Port Health Authority which have been received from the constituent Riparian Authorities for the municipal year of 2026/27.
- 2.1** Also, attached is dates for future meetings of the River Tees Port Health Authority in the 2026/27 municipal year.

2.0 Recommendation

- 2.1** It is recommended that:

- I.** The following nominations of Members to River Tees Port Health Authority for the municipal year of 2026/27 be accepted:

Name	Authority
Councillor R Buglass	Hartlepool Borough Council
Councillor A Napper	Hartlepool Borough Council
Councillor I Blades	Middlesbrough Borough Council
Councillor D Coupe	Middlesbrough Borough Council
Councillor T Furness	Middlesbrough Borough Council
Councillor P Gavigan	Middlesbrough Borough Council
Councillor L Hurst	Middlesbrough Borough Council
Councillor L Hall	Stockton-on-Tees Borough Council
Councillor S Hussain	Stockton-on-Tees Borough Council
Councillor E Johnson	Stockton-on-Tees Borough Council
Councillor M Mazi	Stockton-on-Tees Borough Council
Councillor P Weston	Stockton-on-Tees Borough Council
Councillor C Cawley	Redcar and Cleveland Borough Council
Councillor W Davies	Redcar and Cleveland Borough Council
Councillor M Fairley	Redcar and Cleveland Borough Council
Councillor P Grogan	Redcar and Cleveland Borough Council
Councillor I Hart	Redcar and Cleveland Borough Council

- II. The dates of future meetings for the 2025/26 municipal year be agreed.

DETAILED PROPOSALS

3.0 Following the Annual General Meetings of the five constituent riparian Authorities, the Deputy Clerk of the River Tees Port Health Authority has been advised of the nominations from each authority for the municipal year 2025/26. The nominations are as follows:

Hartlepool Borough Council

Councillors R Buglass and A Napper

Middlesbrough Borough Council

Councillors I Blades, D Coupe, T Furness, P Gavigan and L Hurst

Stockton-on-Tees Borough Council

Councillors L Hall, S Hussain, E Johnson, M Mazi and P Weston

Redcar and Cleveland Borough Council

Councillors C Cawley, W Davies, M Fairley, P Grogan and I Hart.

4.0 What options have been considered

Option 1

Do nothing - the nominations will not be accepted and the Joint Board will not be constituted in line with its governance arrangements.

Option 2

Accept the nominations - the known nominations will be agreed and the Joint Board constituted correctly in line with its governance arrangements.

5.0 Appendices and Background Papers

Appendix 1 – Dates of future meetings of the River Tees Port Health Authority.

6.0 Contact Officer:

9.1 Name: Sue Fenwick

9.2 Position: Deputy Clerk to the River Tees Port Health Authority

9.3 Email address: susan.fenwick@redcar-cleveland.gov.uk

9.4 Telephone Number: 01642 444413

River Tees Port Health Authority - Meeting dates 2026/27

Friday 4 September 2026

Friday 11 December 2026

Friday 5 March 2027

Friday 11 June 2027 (AGM)



Member Report

Performance Summary for River Tees Port Health Authority February 2026 to April 2026

Public

To: River Tees Port Health Authority **Date:** 05 June 2026

From: Corporate Director - Growth Enterprise Environment **Decision type:** For information

Portfolio: Health, Housing and Welfare **Forward Plan reference:** N/A

Priority: All priorities

Ward(s): ALL

1 What is the recommendation?

1.1 For information purposes only.

2 What part of the Corporate Plan does this report deliver and how, and what options have been considered?

2.1 This report provides an overview of the performance from 01 February 2026 to 30 April 2026.

2.2 Shipping movements through the River Tees

Shipping movements are consistent throughout the year with Stockton, and Redcar and Cleveland having the most berths and as such the most visits by ships. The Stockton (North Tees) side of the river mainly deals with petrochemicals, including oil, gas and other chemicals, and Redcar and Cleveland hosts the container and ro-ro (roll on-roll off) berths.

2.3

Authority	Feb 26	Mar 26	Apr 26	Grand Total
Hartlepool	2	4	5	11
Middlesbrough	8	7	10	25
Redcar & Cleveland	119	117	105	341
Stockton	97	96	94	287
Grand Total	226	224	214	664

2.4

Ship Inspections and Issue of Ship Sanitation Certificates

All requests for renewal of a Ship Sanitation Certificate were attended to. While all UK Covid restrictions have been lifted, officers continue to take precautions prior to boarding a vessel.

All ships must supply a Declaration of Health prior to officers boarding; any sign of infectious disease on board will be risk assessed prior to boarding.

2.5 Ship Inspections

Authority	Feb 26	Mar 26	Apr 26	Grand Total
Hartlepool				
Exemption	1	1	0	2
Routine	0	0	0	0
Control	0	0	0	0
Middlesbrough				
Exemption	2	0	1	3
Routine	0	0	0	0
Control	0	0	0	0
Redcar & Cleveland				
Exemption	3	4	0	7
Routine	0	0	0	0
Control	0	0	0	0
Stockton				
Exemption	2	1	2	5
Routine	0	0	0	0
Control	0	0	0	0
Total	8	6	3	17

2.6 Water Samples – ship and jetty supplies

All requests for water samples are attended to where there is availability for the laboratory to collect the samples within an appropriate time frame. The laboratory can collect samples Monday to Friday; Tuesday, Wednesday and Thursday are dedicated free pick-up times, and Monday and Friday are ad-hoc collections which incur an additional charge to the ship.

Any unsatisfactory samples are provided with advice and information and a recommendation to resample at their next port of call.

2.7 Ship Water Sample Results

Type of sample	Outcome	Feb 26	Mar 26	Apr 26	Total
Ship Bacteriological	Satisfactory	16	3	11	30
	Unsatisfactory	0	0	0	0
Ship Legionella	Satisfactory	13	2	9	24
	Unsatisfactory	1	0	2	3
Jetty Water	Satisfactory	0	0	0	0
	Unsatisfactory	0	0	0	0
	Grand Total	30	5	22	57

2.8 Imported Food and Feed

All official controls are carried out within relevant timescales, and this varies depending on the type of product and regulation requirements.

Tea, coffee, and wine are the main imported food items from outside the EU, a small amount of feed is also imported. The quantity of plastic kitchenware from China and Hong Kong continues to be minimal.

2.9 IUU (Illegal Unreported Unregulated Checks)

Imports of fish from the EU require catch certificate endorsement and/or a processing statement check. We are working with importers and agents to ensure these are pre-notified at least 24 hours before arrival at Teesport and manifested correctly.

Most Tees imports are containers and trailers with processed fishery products, such as tinned tuna, fish fingers and surimi (mixed fish sticks) on board.

	Feb 26	Mar 26	Apr 26	Total
Fishery products	55	112	87	254

2.10 Product of Animal Origin (POAO)

Imports of POAO are risk rated, low, medium and high. Low risk products include pasteurised dairy products, ambient stable goods, and pet food. Medium risk products include meat and fishery products. High risk products include live animals and germinal products.

	Feb 26	Mar 26	Apr 26	Total
POAO	1484	1865	1657	5006

2.11 Organics

The service has certified a total of 4 consignments of organic imports between February 2026 to April 2026.

2.12 Plastic Kitchenware from China and Hong Kong

The service has not received any consignment of plastic kitchenware during February 2026 to April 2026.

2.13 Health Entry Documents for High-Risk Food not of Animal Origin (HRFNAO)

The service has not received any consignments of high-risk food not of animal origin during February 2026 to April 2026.

2.14 Infectious disease notifications

There were no incidents of infectious disease notifications February 2026 to April 2026

2.15 Teesside Airport

There have been no imports of food or feed through the airport between February 2026 to April 2026.

2.16 Policies and Plans

All policies and plans have been reviewed and updated where required and are presented at this Board meeting. Current policies are available to view on our website at www.teesporthealth.co.uk

3 Who has been consulted and engaged?

3.1 Senior Officers of the Riparian Authorities.

4 What are the risks and resource implications?

4.1 There are no risks associated with this report.

5 Appendices and further information

5.1 There are no appendices with this report.

6 Background papers

6.1 No background papers other than published works were used in writing this report.

7 Contact Officer

7.1 Name:	Sue Ziolkowski
Position:	Environmental Health Team Manager (Commercial)
Address:	Seafeld House, Kirkleatham Street, Redcar TS10 1SP
Telephone:	01287 612404
Email:	susan.ziolkowski@redcar-cleveland.gov.uk



Member Report - For Information

Current and Emerging Risks

Public

To: River Tees Port Health Authority

Date: 12 June 2026

From: Growth, Enterprise & Environment Scrutiny

Decision type: For Information

Portfolio: Health, Housing and Welfare

Forward Plan Reference: N/A

Priority: All Priorities

1.	Summary of report
1.1.	There are a number of current and emerging risks that have an impact on River Tees Port Health Authority (RTPHA). These risks include Foot and Mouth Disease (FMD), African Swine Fever (ASF), and Pestes de Petits Ruminants (PPR). Great Britain (GB) is currently 'disease free' from these three animal diseases and the Government has introduced additional controls to ensure GB retains this.
2.	What are the objectives of the report and how do they link to the Council's priorities?
2.1.	To inform Members of the current and emerging risks to GB from imported food and feed, in particular Foot and Mouth Disease, African Swine Fever, Pestes des Petit Ruminants, and Lumpy Skin Disease.
2.2.	There are many other risks to the UK that are not listed in this report. These can be found at the following website. Imports, exports and EU trade of animals and animal products: topical issues - GOV.UK
2.3.	This report list those risks that have a current impact on imports through Teesport.
3.	Background

3.1.	The Department for Environment, Food and Rural Affairs (DEFRA) monitors all new and emerging risks that may enter GB that may have an impact on food, feed and animals. Diseases such as FMD can have a huge impact on the farming community and the food and feed entering the UK.
3.2.	According to the National Audit Office, the last FMD outbreak in the UK cost the public sector over £3 million and the private sector more than £5 billion. It is therefore extremely important to monitor these new and emerging risks and put measures in place quickly to prevent the spread of such diseases. <u>The 2001 Outbreak of Foot and Mouth Disease - NAO report</u>
3.3.	Foot and Mouth Disease (FMD) FMD is an infectious and sometimes fatal viral disease that primarily affects even-toed ungulates (hooved animals), including domestic and wild cattle. The virus causes a high fever lasting two to six days, followed by blisters inside the mouth and near the hoof that may rupture and cause lameness. The FMD virus can be transmitted in a number of ways, including close-contact, animal-to-animal spread, long-distance aerosol spread, or inanimate objects, typically fodder and motor vehicles.
3.4.	There are current restrictions in place for imports of animal and animal products from Slovakia. All other restrictions have been lifted.
3.5.	Pestes des Petites Ruminants Pestse des petits ruminants virus (PPR) is a highly contagious viral disease of sheep and goats and infection has been noted in antelope, camels and water buffalo. Cattle and pigs can be affected too but tend not to develop clinical signs. Outbreaks result in morbidity and mortality rates as high as 90%. PPRV is transmitted through direct contact of infected and susceptible animals, via aerosolised bodily fluids over short distances, or through contaminated feed, water, pastures and animal housing.
3.6.	Great Britain (England, Scotland and Wales) has suspended the import of the following sheep and goat commodities from Greece, Romania, Bulgaria, Hungary and Croatia: • live animals • germplasm • raw milk and raw milk products • untreated wool and hair • fresh or chilled (untreated) skins and hides

3.7.	Lumpy Skin Disease An outbreak of Lumpy Skin Disease (LSD) was confirmed 21 June 2025 on a cattle farm in Sardinia; as a result, Italy lost its LSD-free status. Lumpy skin disease affects cattle, water buffalo and some exotic species including antelope and giraffes. It can cause severe illness in susceptible animals and outbreaks can cause trade and movement restrictions. It does not affect people or food safety.
3.8.	Great Britain (England, Scotland and Wales) has suspended the import of the following bovine commodities from Italy, France and Spain: • live animals • germplasm (unless collected prior to 21 December 2024 for Italy, 29 December 2024 for France and 3 April 2025 for Spain) • offal (except diaphragm and masseter muscles) • raw milk and raw dairy products, including raw colostrum • certain animal by-products (including hides and skins) unless processed to mitigate the risk of lumpy skin disease (read the safeguard declaration)
3.9.	African Swine Fever African Swine Fever (ASF) is a highly contagious and deadly disease in pigs and wild boar that can be transmitted through infected meat but poses no risk to human health. An outbreak of ASF could have a significant impact on the UK's £8 billion pig industry, as well as its annual pork and pork product exports worth £600 million. It is estimated that an outbreak could cost the UK between £10 million to £100 million should it ever occur.
3.10.	In September 2022 legislation was introduced to prevent the import of illegal pork products from the EU, including health marking on packaging to ensure it comes from a country authorised to export to the UK. Further measures were implemented in September 2024 to prohibit personal imports of pork and pork products over 2kg.
3.11.	ASF presents a big problem to ports where ferry traffic is the main route of entry. Dover in particular has a big problem with illegal imports due to the amount and type of traffic coming through these short straits.
3.12.	Impacts to RTPHA The service has a small number of low risk imports that require additional checks; this has not had an impact on service delivery.
3.13.	The service continues to monitor the new and emerging risk to the service and regularly liaises with DEFRA, the Animal and Plant Health Agency (APHA), and the Food Standards Agency (FSA).
4.	Appendices and background papers

4.1.	Further information about current issues relating to imports of animal products can be found at the link below. Imports, exports and EU trade of animals and animal products: topical issues - GOV.UK
5.	Contact officer
5.1.	Name: Susan Ziolkowski
	Position: Environmental Health Team Manager (Commercial)
	Address: Seafeld House, Kirkleatham Street, Redcar TS10 1SP
	Telephone: 01287 612404
	Email: susan.ziolkowski@redcar-cleveland.gov.uk

River Tees Port Health Authority

Service Plan 2026 to 2027



Public

To:	River Tees Port Health Authority	Date:	12 June 2026
From:	Corporate Director - Growth Enterprise Environment	Decision type:	Committee
Portfolio:	Health, Housing and Welfare	Forward Plan	N/A
Priority:	All priorities	reference:	
Ward(s):	ALL		

1 What is the recommendation?

- 1.1 It is recommended that the River Tees Port Health Authority Service Plan 2026/27 is approved by members.

2 What part of the Corporate Plan does this report deliver and how, and what options have been considered?

- 2.1 The service plan ensures that national priorities and standards are addressed and delivered locally. It enables the Service to follow the principles of good regulation, focuses on key delivery outcomes and issues, and provides information to stakeholders, including businesses and consumers.
- 2.2 Priorities are established within the service plan and agreed by RTPH Board Members. Compliance with the service plan will be monitored and reported to RTPH Board Members. Any failure to satisfy the service standards will be acted upon and notified to members.

3 Who has been consulted and engaged?

- 3.1 Senior Officers of the Riparian Authorities.

4 What are the risks and resource implications?

- 4.1 Failure to establish an approved service plan will be considered by the Food Standards Agency as a failure to satisfy the framework standards.

5 Appendices and further information

- 5.1 Appendix A River Tees Port Health Authority Service Plan 2026/27

6 Background papers

- 6.1 No background papers other than published works were used in writing this report.

7 Contact Officer

7.1 Name: Sue Ziolkowski
Position: Environmental Health Team Manager (Commercial)
Address: River Tees Port Health Authority, Seafeld House,
Kirkleatham Street, Redcar TS10 1SP

Telephone: (01287) 612404

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



RIVER TEES PORT HEALTH AUTHORITY

SERVICE PLAN

2026 – 2027

For approval June 2026

Contents

1. INTRODUCTION	3
2. SERVICE AIMS AND OBJECTIVES	4
4. BACKGROUND.....	5
5. SERVICE DELIVERY	8
6. RESOURCES	10
8. REVIEW	13
Performance review 2025-2026	14
SERVICE DELIVERY 2026-2027	17
HORIZON SCANNING.....	20
Appendix 1 - Organisational Structure	21

1. INTRODUCTION

The River Tees Port Health Authority (RTPHA) Service Plan covers the elements of food hygiene and safety, and imported food and feed, for which the authority has statutory enforcement responsibility. The Service Plan also covers objectives relating to non-enforcement activity including the mosquito surveillance programme and jetty water sampling programme.

The Service Plan is an expression of this authority's' commitment to the development of the Port Health Service and is a requirement of the Food Standards Agency as the body that monitors and audits local authorities' activities on food enforcement.

The Food Standards Agency's' (FSA's) Framework Agreement sets out the planning and delivery requirements for feed and food official controls, based on the statutory Codes of Practice. It ensures that national priorities and standards are addressed and delivered locally.

The RTPHA Service Plan has been drawn up in accordance with the guidance in the Framework Agreement and follows the Service Plan template. This is to enable the FSA to assess the Authority's delivery of its service and to allow local authorities to compare service plans written in the common format for any fundamental performance reviews under the local government Best Value agenda. This Service Plan also takes into account the Food Law Code of Practice and Practice Guidance.

The FSA requires the Service Plan to be submitted to members for approval to ensure local transparency and accountability. This is done annually through (RTPHA) Board Member Briefing.

The Authority operates the food hygiene rating scheme where food premises receive a score of between 0 and 5.

RTPHA sits within the Environmental Health (Commercial) Team at Redcar and Cleveland Council and is managed by the Environmental Health Team Manager (Commercial). The Environmental Health (Commercial) Team is part of the Health Protection and Health Care Quality Service in the Growth, Enterprise and Environment Directorate.

Port Health Officers are trained to high levels of competency consistent with the competency framework in the Food Law code of practice, including ongoing staff training and support systems in place.

This plan details the delivery of the performance of the port health service during 2025/26, which includes the inspection of ships, enforcement of food, feed and environmental protection laws, and the prevention and control of infectious diseases.

Effective partnerships with stakeholders, including UK Health Security Agency (UKHSA) – Consultant in Health Protection / Port Medical Officer and Food Examiner, the appointed Public Analyst and Agricultural Analyst and the Food Standards Agency (the Agency), are important in the achievement of the aims and objectives of the plan.

2. SERVICE AIMS AND OBJECTIVES

Aims

- To ensure that food and feed entering the UK through Tees Port has been legally imported and complies with relevant food and feed laws.
- To ensure that the port maintains its status as a Border Control Post (BCP).
- That conditions on ships entering Tees Port comply with the International Health Regulations 2005.
- Risks to health from communicable diseases are effectively managed and controlled.
- Ensure that food hygiene and standards legislation is enforced in food premises at the port.
- To ensure that environmental protection legislation is enforced within the port.

Objectives

- To carry out manifest and documentary checks relating to third country food, feed and other relevant products.
- To ensure that all imported products are subject to the required legislative requirements.
- To ensure importers and shipping agents are kept informed of import restrictions, changes in legislation, emergency control measures and new guidance.
- To carry out a risk-based approach to the inspection of ships and respond to all requests for ship sanitation certificates.
- To investigate the incidence of food poisoning and food-borne disease at the port and on ships entering the port.
- To monitor the wholesomeness and sufficiency of water supplies at the port and on-board ships entering the port.
- To carry out appropriate food hygiene and standards interventions at the food premises at the port.
- To operate the national Food Hygiene Rating Scheme for food premises at the port to improve and maintain good hygiene standards.
- To ensure the prescribed processes at the port comply with environmental protection legislation and permits are issued accordingly.

4. BACKGROUND

4.1. Profile of the Port Health Authority

River Tees Port Health Authority (RTPHA) (the Authority) represents the four riparian authorities of Redcar and Cleveland Borough Council, Stockton-on-Tees Borough Council, Middlesbrough Council and Hartlepool Borough Council. The Authority is managed by Redcar and Cleveland Borough Council.

The River Tees Port Sanitary Authority was first constituted by an Order of the Local Government Board in 1886. The present Authority was established by The River Tees Port Health Authority Order 1982, which defines the port health district over which the joint board has jurisdiction. The Order was further amended in 2016 to reflect changes in legislation.

The Port Health area consists of those parts of the Port of Tees and Hartlepool together with such land and water as is specified in the Order, including:

- a) the part of the Port of Tees and Hartlepool which lies upstream of a line drawn from the most northerly point of the North Gare Breakwater (reference point NZ5442 2843) and the South Gare Buzzer House (reference point NZ5580 2840), including those waters of the River Tees as far as the tide flows up stream to the Tees Barrage (reference point NZ4624 1903);
- b) any wharf, dock, jetty or similar structure on the riverside of, or projecting into, that part of the Port of Tees and Hartlepool and the River Tees; and
- c) any structures and buildings on areas within the gates of any wharf, dock, jetty or similar structure within the districts of the relevant riparian authorities.

4.2. Organisational Structure

The relevant riparian authorities must appoint members to the joint board at meetings to be held in May of each year. The members of the joint board must be appointed annually by the relevant riparian authorities from the members of their respective councils as follows:

- a) five members from Redcar and Cleveland Borough Council,
- b) five members from Stockton-on-Tees Borough Council,
- c) five members from Middlesbrough Council, and
- d) two members from Hartlepool Borough Council.

As the managing authority, the structure of Redcar and Cleveland Borough Council showing where the service sits are detailed in Appendix 1.

The Port Health service carries out the following functions:

- Imported Food and Feed Controls,
- Food Hygiene and Food Standards enforcement,
- Food and food premises complaints,
- Ship Sanitation Inspections,
- Environmental permitting, and
- Water Sampling.

The team comprises of the following:

- 0.5 x FTE Environmental Health Team Manager
- 1 x FTE Trading Standards Officer
- 0.8 x FTE Environmental Health Officer (currently a vacant post)

- 2 x FTE Official Veterinary Surgeon (agency)
- 1 x FTE Port Health Technical Officer
- 3 x FTE Business Support Officers

4.3. Public Analysts and Food Examiners

The following Analysts have been appointed by the Authority.

Public and Agricultural Analysts

Public Analyst Scientific Services
i54 Business Park
Valiant Way
Wolverhampton. WV9 5GB

Food Examiners are agreed and approved through a Service Level Agreement with the UKHSA - Food Water and Environmental Laboratory.

4.4. Scope of the Feed and Food Service

The Port Health team are responsible for the following services:

- Carrying out official controls on imports of food and feed that come through the Port of Tees.
- Carrying out a programme of food hygiene and standards interventions in accordance with the Food Law Code of Practice and Practice Guidance.
- Investigating and resolving complaints about food and food premises.
- Taking informal and formal action, where appropriate including the service of notices, seizure of food, voluntary and emergency closures, and any other action deemed necessary to secure compliance with legislation.
- Identification and assessment of premises requiring approval in respect of specific processes and food products.
- Maintaining database accuracy by ensuring all food premises trading within the authority are registered, and all information is recorded appropriately on the Philis database.
- Receiving FSA Food Alerts, disseminating to all relevant officers and actions taken and recorded where necessary.
- Provide advice and assistance to importers, exporters, and agents on imported food related issues.
- Investigate incidents of food borne disease and take action where necessary, including liaison with the UKHSA and other stakeholders to determine the source and prevent further infection.
- Provide and operate the Food Hygiene Rating Scheme in accordance with the Brand Standard, to process and respond to appeals and re-rating requests, and upload data in a timely manner to ensure data is up to date and accurate.

- Carry out appropriate food sampling in accordance with the annual sampling plan, which will include inspection and investigation-based sampling as well as cross-regional studies and;
- Carry out a programme of feed interventions in accordance with the Feed Law Code of Practice.

4.5. Demands on the Feed and Food Service

The authority has, as of 1st April 2026, 5 food premises located within the port on its database that are subject to programmed food hygiene interventions. Three of the businesses are rated '5' – Very Good, the other two are excluded. They are placed in risk bands for frequency of inspection based on risk to the consumer, 2 are in Band D (inspection every 2 years), and three are in Band E (inspection every 3 years). For Food Standards, 4 are low risk, and one medium risk.

The details of all food businesses and all imports of food and feed are maintained on the Civica database.

The authority will also respond to any credible information passed to it suggesting any rogue food activities within the Port Area, for example referrals from the Food Fraud Unit. <https://www.food.gov.uk/safety-hygiene/food-crime>.

4.6. Regulation Policy

The Port Health Service endorses and adopts the principles laid down in the Enforcement Concordat which recognises that enforcement must be fair, consistent and equitable. The service also has regard to the 'Code for Crown Prosecutors' guidelines. These documents will form the basis of decision-making processes in deciding the most appropriate enforcement action.

The Authority's Enforcement Policy outlines the various enforcement options ranging from advice/education to formal action including the service of notices and prosecution for non-compliance with legislation.

5. SERVICE DELIVERY

5.1. Interventions at Food and Feed establishments

It is the intention of the Port Health team to inspect all premises due for feed or food intervention within 28 days of their inspection due date and monitor all container and bulk food and feed traffic through the Tees during the financial year. Officers determine the frequency of inspection at each premises according to the feed or food code of practice and check all imported food and feed against relevant legislation to determine whether official controls are required.

During food hygiene inspections, any premises that are not broadly compliant, i.e., those achieving Food Hygiene Rating of 0, 1 or 2 will automatically have a revisit to ensure they have carried out the necessary improvements to satisfy the officer that standards have improved since the initial visit.

The team has access to one full time Environmental Health Officer and one full time Trading Standards Officer who are both authorised to carry out inspections across a range of businesses and imports.

5.2. Feed and Food Complaints

The authority will respond to food and feed complaints on the same working day of receipt of the complaint, where practicable. Should initial enquiries warrant a visit to the food or feed premises at the port, officers will visit the same day, or when the business is next open and trading.

5.3. Home Authority Principle and Primary Authority Scheme

The Home Authority principle offers advice and guidance to these businesses at source to maintain their high standards of food hygiene and standards compliance. The Authority does not have any home authority agreements in place, and should a business be interested in this type of agreement, they would be encouraged to apply for the Primary Authority Scheme.

The Primary Authority Scheme allows businesses to form a statutory partnership with a single local authority, which would provide robust and reliable advice for other councils to take into account when carrying out inspections or dealing with non-compliance. The Authority does not have any primary authority agreements in place however it would actively explore such arrangements where suitable businesses are identified.

5.4. Advice to Businesses

The Authority encourages businesses to seek advice whenever they have any questions or queries about their particular business as we believe it resolves any issues at an earlier stage before a situation becomes serious. The service would like to be recognised by food businesses as supportive and helpful. Advice will be in the form of verbal advice over the telephone, advisory visits and email/postal communications, where necessary.

5.5. Feed and Food Sampling

The service participates in food sampling programmes co-ordinated by the UKHSA and the Food Standards Agency (FSA) and the North East Food Liaison Group, which includes organised sampling initiatives, and targeted sampling, depending on regional priorities.

The Authority will carry out further sampling during routine inspections at randomly selected premises, and reactive sampling where required, or when non-compliance has been identified.

The UKHSA Laboratory at York will process all food samples procured for microbiological purposes and provide a low cost courier service for this. All standards samples and imported food and feed samples requiring non-microbiological analysis will be submitted to Public Analyst Scientific Services, however this service does incur a charge for analysis and where specified in legislation, will be recovered from the importer.

5.6. Control and Investigation of Outbreaks and Food Related Infectious Disease

The service will respond promptly and as a priority to all notifications of infectious disease, particularly if they are suspected to be food borne. Officers will respond according to initial assessment based on information available at the time. Officers will liaise with UKHSA with regards to submission of stool samples, and liaise with other members of the riparian authority, where required. Should a vessel be implicated in an outbreak, quarantine measures may be required to prevent the spread of disease.

5.7. Feed/Food Safety Incidents

All Officers have signed up for the FSA alerts system on FSA Link and will receive notifications directly to their email accounts. Alerts for information are read by each officer, alerts for action are logged and any action required, are taken by officers. The FSA has the contact details of the Port Health Authority lead officer should any urgent action need to be taken in the authority's area.

5.8. Liaison with Other Organisations

Arrangements are in place to ensure that the Port Health service keeps up to date with legislation, guidance, and good practice relevant to its duties. This includes.

- North East Food Liaison Group meetings on matters such as food hygiene and standards inspections, food hygiene and standards sampling, enforcement action, and any other operational matters.
- North East Health Protection Group Meetings with UKHSA for Health Protection issues such as infectious diseases, food poisoning outbreaks and emerging issues.
- Attending regional meetings to discuss the Food Hygiene Rating Scheme.
- Attending/teleconferencing into Port Health Liaison Meetings;
- Review of planning applications with regards to port premises.

5.9. Feed and Food Safety and Standards promotional work, and other non-official controls interventions

The service does not plan to carry out any promotional work in 2026/27, however the Port Health website will provide information to importers and agents on the progress of the SPS agreement where possible.

6. RESOURCES

6.1. Financial Allocation

The Authority is funded by the Riparian Authorities as set out in the Order. The table below shows the budget for 2026/27 (approved by RTPHA Board at their meeting in Dec 2025).

Areas of Spend	25/26 Budget
Staffing	
Salaries - Basic Pay	199,400
Salaries - National Insurance	25,650
Salaries - Overtime	8,850
Salaries - Superannuation	23,400
Other Allowances	2,750
Car Allowances	500
	260,550
Other Costs	
External Training	500
General Equipment	1,100
Clothing & Uniforms	500
Printing & Stationery	100
MFD Recharge (Printing)	50
Services – Veterinary Contract Fees	271,900
Analysts Fees	19,700
External Audit Fees	3,600
SLA Agreement	132,550
Mobile Phones	800
Computer Software	25,900
Subscriptions	1,350
Insurance	1,250
	459,300
Expected Income	
Products of Animal Origin	(812,700)
Catch Certification	(68,950)
Sanitation Certificates	(29,200)
High Risk Products Imports	(2,600)
Organic Certificates	(800)
RTPHA Permits (annual fee)	(700)
Plastic Declaration	(0)
Water Sampling	(12,350)
	(927,300)

The budget allocated to the Authority covers all areas of statutory and non-statutory work. Relative to the intentions expressed within this service plan the budget is adequate for these purposes.

6.2. Staffing Allocation

The following staff are planned to form the Port Health team throughout 2026/27, however this may change throughout the year depending on throughput of imports and exports of Products of Animal Origin.

Role	FTE
Environmental Health Team Manager	0.5
Environmental Health Officer (currently vacant)	0.8
Trading Standards Officer	1
Official Veterinary Surgeon (agency staff)	2
Port Health Technical Officer	1
Business Support Officer	3

All Officers are authorised to enforce Port Health legislation consistent with their qualifications and competency/experience in accordance with the relevant Code of Practice and competency framework. Selected officers from the riparian authorities have been trained in Port Health activities should they need to be called upon.

6.3. Staff Development Plan

All staff have an annual appraisal to assess performance, set targets and to identify any training needs. Officers are required to complete the relevant parts of the Competency Framework as required by the Code of Practice and Quality Management System.

7. QUALITY ASSESSMENT

7.1. Quality assessment and internal monitoring

Continuous monitoring of the service is carried out to ensure inspection targets are met and random checks and accompanied visits are also carried out with individual officers. The performance of the Port Health Service is reported each quarter to the RTPHA Board meeting.

The standard of service provision is monitored on a regular basis by the Environmental Health Team Manager (Commercial). The type of activities monitored is based on the risk and potential impact of non-compliance with service procedures and standards. Monitoring will also be carried out on the activity and workload of each officer to ensure correct and consistent delivery of individual duties.

8. REVIEW

8.1. Review against the Service Plan

The commitments to the service plan, and associated performance indicators are monitored monthly by the team and discussed during team meetings. The performance is also reviewed during quarterly meetings with the Riparian Heads of Service and reported to the RTPHA Board.

The attached appendices report the performance of the service during 2025/26.

8.2. Identification of any Variation from the Service

The monthly reviews against the service plan will identify any significant variations against the service plan. The Environmental Health Team Manager (Commercial) and the Head of Service will then identify any remedial action if required.

8.3. Areas of Improvement

The service has always carried out its routine food hygiene and standards inspections, has never refused a request for a renewal of a ship sanitation certificate, and all permitted processes have been audited annually, as required.

Performance review 2025-2026

Ship arrivals

A total of 2,663 ships visited the Tees during last year and this is broken down per authority as in the table below. There has been a decrease of 236 ships from the previous year.

Authority	2025 Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	2026 Jan	Feb	Mar	Grand Total
Hartlepool	91	101	68	97	103	87	83	101	97	100	97	96	1121
Middlesbrough	113	120	121	117	113	102	103	107	105	110	119	117	1347
Redcar & Cleveland	17	9	5	9	13	11	10	8	10	9	8	7	116
Stockton	7	5	8	7	8	11	7	12	6	2	2	4	79
Grand Total	228	235	202	230	237	211	203	228	218	221	226	224	2663

Ship inspections

A total of 77 ship sanitation inspections were carried out during 2025/2026. 76 were exemption certificates, one was a routine inspection, and no control certificates were issued in 2025/2026.

A breakdown of inspection type and authority is listed in the table below.

	2025 Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	2026 Jan	Feb	Mar	Grand Total
Hartlepool													
Exemption	0	0	1	2	1	0	0	1	1	0	1	1	8
Routine	0	0	0	0	0	0	0	0	0	0	0	0	0
Control	0	0	0	0	0	0	0	0	0	0	0	0	0
Middlesbrough													
Exemption	2	1	1	1	0	1	0	2	0	0	2	0	10
Routine	0	0	0	0	0	0	0	0	0	0	0	0	0
Control	0	0	0	0	0	0	0	0	0	0	0	0	0
Redcar & Cleveland													
Exemption	5	4	2	2	3	2	3	3	3	1	3	4	35
Routine	0	1	0	0	0	0	0	0	0	0	0	0	1
Control	0	0	0	0	0	0	0	0	0	0	0	0	0
Stockton													0
Exemption	2	2	2	2	1	0	3	2	4	2	2	1	23
Routine	0	0	0	0	0	0	0	0	0	0	0	0	0
Control	0	0	0	0	0	0	0	0	0	0	0	0	0
Grand Total	9	8	6	7	5	3	6	8	8	3	8	6	77

Imported Food and Food Contact Materials

Since 30 April 2024, imports of Products of Animal Origin (POAO) from outside of Great Britain have been subject to official controls, this includes all POAO from the European

Union. POAO is split into low, medium and high-risk imports with low and medium being the majority of imports for the Authority. These are brought in under a Common Health Entry Document (CHED-P)

All of the imported food arrives via containers or trailers into the Redcar and Cleveland district and is detailed in the table below.

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Total
IUU Fish Imports	91	151	106	111	121	90	135	98	116	41	55	112	1227
HRFNAO	0	2	4	2	5	4	2	2	2	0	0	0	23
CHED-P	2071	2269	2221	2281	2021	1686	1708	1637	1727	1548	1484	1865	22518
Plastic Kitchenware	0	0	0	0	1	0	0	0	1	0	0	0	2
Organics	0	3	1	1	2	1	2	2	3	1	3	0	19
	2162	2425	2332	2395	2150	1781	1847	1739	1849	1590	1542	1977	23789

Imported Feed

A total of 6437 consignments of animal feed were brought into Teesport in containers during 2026/27.

Type of Feed	Number of Consignments
Pet Food	6432
Feed Mixture	5
Grand Total	6437

Consignments of feed are brought in via containers and bulk ships, with quantities ranging from 15 tonnes in a container to 50,000 tonnes in a bulk vessel. Documentary and physical checks were carried out on all bulk imported feed consignments.

Philis (Port Health Interactive Live Information System) allows the team to report in more detail on feed imports this year which has dramatically increased our imports on previous years.

Infectious disease control

There were no incidents of infectious diseases notified during 2025/26.

Potable water analysis and jetty water analysis

Potable water samples are taken both following a request from the ship/agent, or by the officer attending the ship. The jetty locations are split between the authorities as detailed below. All jetty companies were visited, however, not all jetty points were in use or available at the time of sampling.

Samples	Apr 25	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan 26	Feb	Mar	Total
Ship Bact - Satis	6	7	6	8	3	7	2	4	3	2	16	3	67
Ship Bacti - Unsatis	0	0	0	2	1	0	0	0	0	0	0	0	3
Ship Legi - Satis	2	6	1	5	3	2	2	2	2	2	13	2	42

Ship Legi - Unsatis	0	0	1	2	1	1	0	0	0	0	1	0	6
Jetty Supplies - Satis	0	0	0	0	1	0	9	1	0	0	0	0	11
Jetty Supply - Unsatis	0	0	0	0	0	0	0	0	0	0	0	0	0
	8	13	8	17	9	10	13	7	5	4	30	5	129

If any ship water samples are found to be unsatisfactory, we inform the ship or shipping agent without delay and provide advice on cleansing and disinfection of the water tanks and supply to all outlets. The ship is advised to resample after works are carried out.

Should any jetty samples be found to be unsatisfactory, we will provide advice on cleansing and disinfection of pipework, including regular flushing. Additional sampling would be carried out until a satisfactory result is obtained. The particular jetty supply cannot be used to supply potable water to ships until a satisfactory result is obtained.

Food hygiene and standards inspections

Of the five food premises under the authority's jurisdiction, four had a planned inspection. All registered food businesses are currently rated '5' – Very Good.

Environmental Protection

All three prescribed processes are on a planned inspection of once every two years. All three inspections were carried out during 2025/2026, as well as ad hoc visits carried out throughout the year to ensure compliance with permit conditions. No complaints were received relating to any of the permitted processes.

SERVICE DELIVERY 2026-2027

Ship arrivals

Around 2500 ships are expected to pass entrance into Teesport during 2026/2027 including small support vessels, sand dredgers, small cargo ships, LPG tankers, oil tankers, container ship and other specialised vessels.

The number of ships arriving into the Tees will be reported to the Board on a quarterly basis.

Ship inspections

Routine ship inspections will be carried out on a risk-based process depending on previous history or intelligence led information. All ships requesting a ship sanitation certificate will be visited and an inspection carried out. Requests either come from the shipping agent or from the Captain of the vessel.

Imported Food and Feed

The service anticipates similar numbers of imported food and feed to 2025/26, with the majority of our imports being pre-packed foods for supermarkets.

Port Health officers and Official Veterinarians will ensure they are fully up to date with any new and emerging risks by reviewing and responding to the Animal and Plant Health Agency (APHA), the Department for Food and Rural Affairs (DEFRA), and the Food Standards Agency (FSA) by way of Official Veterinary Notes, alerts and notifications.

Bulk imported Feed

The authority has an agreement with PD Teesport bulk imports to advise PHA of any bulk consignments of feed from third countries that enter into Tees Dock. Depending on the type of feed and country of origin, documentary, identity and physical checks will be carried out as per legislative requirements. Bulk checks are carried out on potential offloading berths for feed from third countries.

The Philis IT system can also identify any containers/trailers of feed entering the UK.

Imported plastic kitchenware

Plastic kitchenware imports have declined over the years since the introduction of the 2011 legislation, the authority will carry out all documentary, identity and physical checks as per legislative requirements.

Organic certification

Any products requiring organic certification must provide the original organic certificate for authentication and verification.

Products of animal origin

Official controls for Products of Animal Origin (POAO) from the EU came into force at 00:01 on 30 April 2024. The service anticipates around 6,500 medium risk and 15,500 low risk consignments will enter the Tees during 2026/27.

Manifest enquiries

Following the implementation of Philis, any ambiguously manifested items are automatically placed on hold, and require submission of commercial documents prior to release.

General enquiries

We will respond to all enquiries in a timely manner that provides minimal impact on the importer.

Infectious disease control

Under the International Health Regulations, the Master of a ship has a duty to notify the Port Health Authority of any infectious disease on board. We will investigate any reports of infectious disease and work with the Port Medical Officer in the UKHSA to prevent the spread of any infectious disease.

Potable water analysis

Potable water sampling will be undertaken at the request of ships' masters or shipping agents. Ship waters are analysed for microbiological safety, chemical content and presence of legionella. Requests are charged to the vessel, however should an officer highlight any concerns about a ships water supply, routing samples can be taken and these are free of charge through the UKHSA sampling allocations.

Jetty water analysis

There are 18 companies that supply water to ships at the jetty side, with 48 water supply points in total across the suppliers; some have one supply point, others, such as Tees Dock, have 9 supply points. We plan to visit all these companies and take a representative sample for microbiological analysis.

These points are sampled free of charge for microbiological quality and are paid for through UKHSA sampling allocations.

Food safety inspections

There are 5 food premises within the boundaries of River Tees Port Health Authority. One of these are due a food hygiene intervention during 2025/2026.

If a complaint is received about food consumed on the premises, or the condition of the premises itself, an investigation will be carried out.

Food sampling at port premises may be carried out depending on intelligence, local and regional requirements and surveys.

Food Standards Inspections

Of the five food business at the port, none are due a Food Standards intervention during 2026/2027.

Food standard sampling may also be carried out depending on intelligence, local and regional requirements and surveys.

Environmental Protection

There are currently three prescribed processes within our jurisdiction, one of which has mothballed their permit as they do not anticipate using it in the next 12 months.

One of the processes is due for full inspection during 2026/27

HORIZON SCANNING

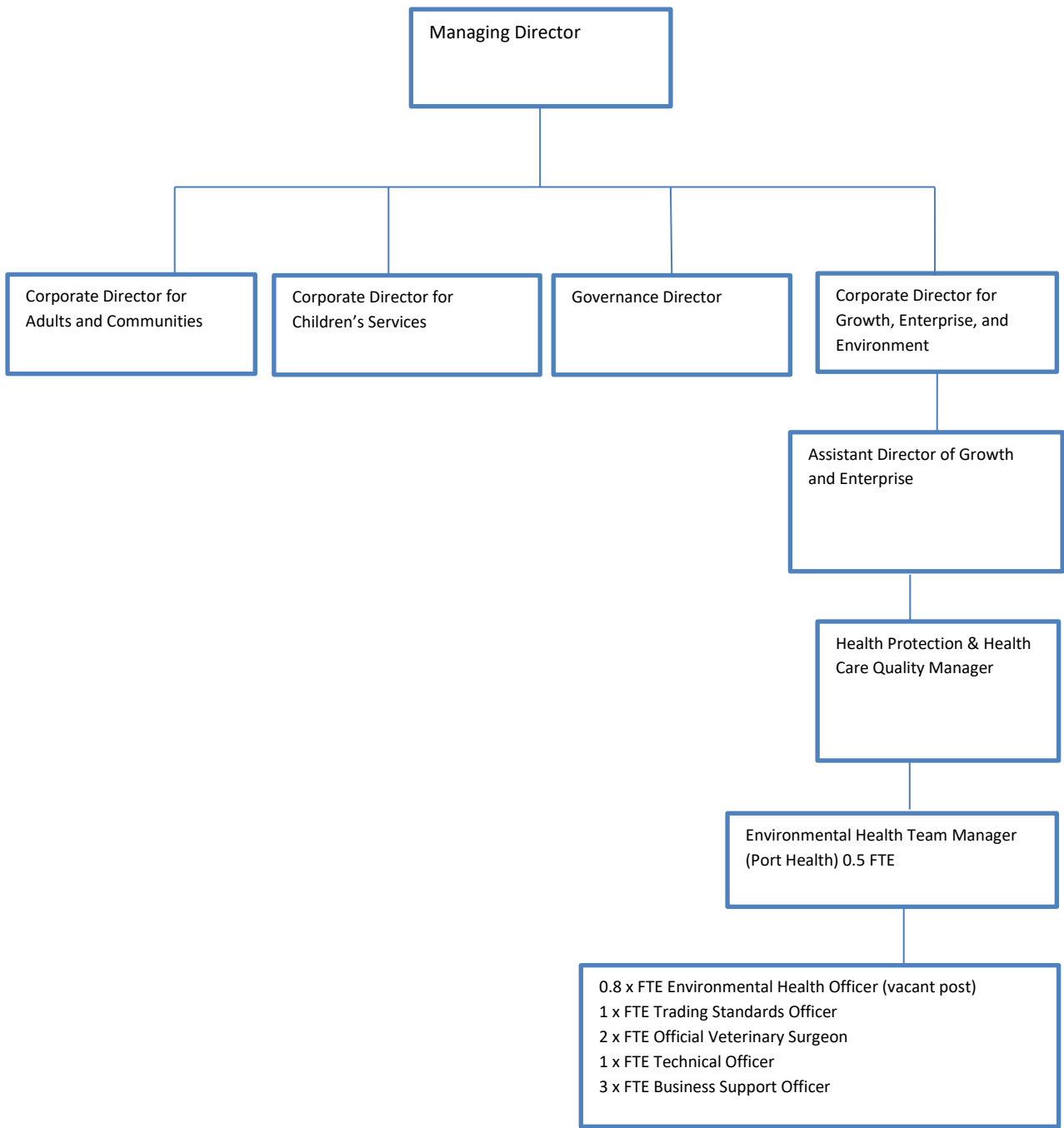
During May 2025, the government agreed to start negotiations on a trade deal between the EU and the UK for sanitary and phytosanitary (SPS) checks on products of animal origin.

This trade deal is expected to bring the UK in line with EU import requirements and introduce free movement of SPS products between the UK and the EU.

The new agreement is planned to be implemented mid 2027, and the impact on the Port Health Authority will be a dramatic reduction in the imports of products of animal origin, and subsequently a dramatic reduction in the income we receive from the checks currently being carried out.

The Authority will keep up to date with stakeholders as these talks are progressing and plan any changes that need to be made to the authority as and when new information is provided.

Appendix 1 - Organisational Structure



River Tees Port Health Authority

Memorandum of Understanding



Public

To:	River Tees Port Health Authority	Date:	12 June 2026
From:	Corporate Director - Growth Enterprise Environment	Decision type:	Committee
Portfolio:	Health, Housing and Welfare	Forward Plan	N/A
Priority:	All priorities	reference:	
Ward(s):	ALL		

1 What is the recommendation?

- 1.1 It is recommended that the River Tees Port Health Authority Memorandum of Understanding is noted and approved by members.

2 What part of the Corporate Plan does this report deliver and how, and what options have been considered?

- 2.1 The Memorandum of Understanding sets out the understanding of River Tees Port Health Authority (RTPHA) under the management of Redcar and Cleveland Borough Council (RCBC), and the riparian authorities, Stockton-on-Tees Borough Council, Middlesbrough Council and Hartlepool Borough Council, of the principles that will underlie the relations between them.

The document has been reviewed and minor amendments have been.

3 Who has been consulted and engaged?

- 3.1 Senior Officers of the Riparian Authorities have been consulted in the review of the Constitution.

4 What are the risks and resource implications?

- 4.1 The Memorandum of Understanding sets out the relationship between RTPHA and the riparian authorities that fund the service. It includes the standards and mechanisms for decision making and ensures that any actions taken by the Authority in fulfilling its duties and responsibilities are lawful, efficient and transparent.

5 Appendices and further information

- 5.1 Appendix B River Tees Port Health Authority Memorandum of Understanding for Approval June 2026

6 Background papers

6.1 No background papers other than published works were used in writing this report.

7 Contact Officer

7.1 Name: Sue Ziolkowski
Position: Environmental Health Team Manager (Commercial)
Address: River Tees Port Health Authority, Seafeld House,
Kirkleatham Street, Redcar TS10 1SP

Telephone: (01287) 612404

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



Memorandum of Understanding

Between River Tees Port Health Authority
and the Riparian Authorities
2026/27

For approval June 2026



1. Introduction

- 1.1. This Memorandum sets out the understanding of River Tees Port Health Authority (RTPHA) under the management of Redcar and Cleveland Borough Council (RCBC), and the riparian authorities, Stockton-on-Tees Borough Council, Middlesbrough Council and Hartlepool Borough Council, of the principles that will underlie the relations between them.
- 1.2. This Memorandum is a statement of intent and should not be interpreted as a binding agreement. It does not create legal obligations between the parties but will allow the parties to make representations to each other on the arrangements for the delivery of the services provided by RTPHA, and on behalf of the riparian authorities.
- 1.3. RTPHA will communicate to the riparian authorities any matters that may have significant concern for any or all of the riparian authorities. This includes the import of food, feed and relevant products through Tees Port, the state of public health including risks from infectious diseases introduced through Tees Port and any significant risks identified through the inspection of any ship within Tees Port.

2. Relationships and Responsibilities

- 2.1. The services of RTPHA are managed by RCBC this being an administrative arrangement by virtue of sections 101, 102, 103, 112 and 113 of the Local Government Act 1972, and sections 19 and 20 of the Local Government Act 2000 and the regulations made under these Acts; together with the general power within section 2 of the Local Government Act 2000 and the supporting provisions within section 111 Local Government Act 1972.
- 2.2. RCBC is responsible for the delivery of port health services within Tees Port. This includes the inspection of ships entering the port, the issue of ship sanitation certificates, import controls for food, feed and relevant products, infectious disease controls and the inspection of food premises and prescribed processes within the port.
- 2.3. RTPHA will establish and maintain written procedures for the effective delivery of port health services. This includes the proper authorisation of officers of RTPHA and of the Port Medical Officer, the inspection of ships and relevant premises within the port, the enforcement of official controls including the inspection, sampling, seizure and detention of food, feed and relevant products entering the port, and the investigation of infectious disease on board ships and within the port.
- 2.4. An annual service plan will be provided in accordance with the Food Standards Agency Framework Agreement on Food and Feed Law Enforcement and will be presented to the joint board for approval.
- 2.5. RTPHA will maintain liaison arrangements with the Food Standards Agency, Health Security Agency, the Environment Agency, UK Border Agency, Cleveland Emergency Planning Unit, the port operator, importers, shipping agents and other relevant stakeholders.

- 2.6. There are no specific duties or responsibilities placed upon the riparian authorities in respect to port health services. However, riparian authorities may be requested to provide assistance in matters that are considered to have significant importance to the protection of public health or the enforcement of official controls. If such assistance is requested, the need for this will be clearly communicated to relevant senior officers within riparian authorities and the level of assistance agreed.
- 2.7. Matters considered to have significant importance, referred to above may include:
- a. An outbreak of infectious disease that extends outside of the port and outside the boundaries of Redcar and Cleveland Borough Council.
 - b. The tracing of food, feed and relevant products imported through Tees Port that is believed to be unsafe and has entered into one or more the riparian authority areas.
 - c. Any other matter that is likely to have a major local or regional impact.
- 2.8. In the unlikely event that RTPHA (or RCBC) is not able to respond to a request from a shipping agent for a ship sanitation certificate inspection this would be referred to the riparian authority in whose area where the ship is to berth. It will be the responsibility of the riparian authority to determine if it can respond to such a request. The riparian authority is not expected to respond directly to the shipping agent as RTPHA will act as liaison for all such matters.
- 2.9. RTPHA will provide port health training for officers of the riparian authorities to ensure they remain familiar with port health procedures. RTPHA will provide opportunities for officers from the riparian authorities to gain experience of port health functions, in particular, procedures and arrangements for entering and conduct within the port. The role of officers of the riparian authorities will be limited to assisting in matters relating to the control of imported food, feed and relevant products which will be reflected in their authorisations.
- 2.10. The safety of officers visiting the port is the primary responsibility of RTPHA in accordance with the health and safety policies for RTPHA and RCBC. This will include the provision by RTPHA of any specialist safety equipment where this is a requirement of the port operator. The riparian authorities must provide their officers with individual personal protective equipment, in particular safety shoes. Each riparian authority is responsible for providing insurance for its own officers when they act as an authorised officer of RTPHA within the Authority's jurisdiction.

3. Communication and Arrangements

- 3.1. RTPHA, RCBC and the riparian authorities are committed to the principle of good communication. The aim of which is to allow representations to be made to each other and in sufficient time for those representations to be fully considered.
- 3.2. RCBC will inform the riparian authorities of the performance of RTPHA and facilitate the provision of information by at least quarterly meetings which will take place at least two weeks before the meeting of the joint board. The papers that will be presented to the joint board will be provided to the Heads of Services of the riparian authorities in advance of the quarterly meetings. In addition to these meetings

RCBC will inform the riparian authorities of any significant change or event which may impact upon RCBC's ability to deliver and manage the services provided by RTPHA.

- 3.3. RCBC will endeavour to respond quickly to requests for information from the riparian authorities in respect to all matters connected to RTPHA, in particular the management and delivery of the port health service.

4. Budget

- 4.1. The RTPHA is funded by the four riparian authorities and the contributions are set out in the River Tees Port Health Authority Order 2016 as follows:

Redcar and Cleveland BC	52%
Stockton on Tees BC	31%
Middlesbrough C	15%
Hartlepool BC	2%

- 4.2. The financial processes relating to budget and actual expenditure will be subject to review by RCBC's internal auditors. Final accounts are independently audited by RCBC External Auditors or their nominated appointees.
- 4.3. The Service Plan will detail the demands on the service related to each riparian authority and will reflect each Authority's expenses contribution.

5. Overview and Scrutiny

- 5.1. The joint board of RTPHA will review or scrutinise decisions made, or other action taken, in connection with the discharge of port health services by officers of RTPHA and officers of RCBC acting on behalf of RTPHA.

6. Review

- 6.1. This Memorandum of Understanding will be reviewed by RTPHA in consultation with the riparian authorities at least annually and updated as necessary. It will be presented to the joint board for information.

River Tees Port Health Authority

Constitution for Approval



Public

To:	River Tees Port Health Authority	Date:	12 June 2026
From:	Corporate Director - Growth Enterprise Environment	Decision type:	Committee
Portfolio:	Health, Housing and Welfare	Forward Plan	N/A
Priority:	All priorities	reference:	
Ward(s):	ALL		

1 What is the recommendation?

- 1.1 It is recommended that the Constitution of River Tees Port Health Authority 2026 is approved by members.

2 What part of the Corporate Plan does this report deliver and how, and what options have been considered?

- 2.1 The Authority's Constitution is reviewed annually and when any significant amendments are required to ensure the effective and lawful operation of RTPHA.

The document has been reviewed, and Members are informed that there have been updates to staff structure and management responsibilities. All relevant legislation has been checked and updated as required.

3 Who has been consulted and engaged?

- 3.1 Senior Officers of the Riparian Authorities have been consulted in the review of the Constitution.

4 What are the risks and resource implications?

- 4.1 The Constitution sets out how RTPHA operates. It includes the standards and mechanisms for decision making and ensures that any actions taken by the Authority in fulfilling its duties and responsibilities are lawful, efficient and transparent.

5 Appendices and further information

- 5.1 Appendix C River Tees Port Health Authority Constitution for Approval 2026

6 Background papers

- 6.1 No background papers other than published works were used in writing this report.

7 Contact Officer

7.1 Name: Sue Ziolkowski
Position: Environmental Health Team Manager (Commercial)
Address: River Tees Port Health Authority, Seafield House,
Kirkleatham Street, Redcar TS10 1SP

Telephone: (01287) 612404

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



Constitution

For approval June 2026

Table of Contents

Constitution	1
Summary and Explanation	3
The Authority's Constitution	3
Operation of the Authority	3
Decision Making	3
ARTICLE 1 - CONSTITUTION	4
Joint board	4
Appointment of Members	4
Retirement of Members	4
Chair and Vice-Chair	5
Voting	5
Expenses	6
ARTICLE 2 - FUNCTIONS OF THE AUTHORITY AND SCHEME OF DELEGATION	7
Functions of the Authority	7
Scheme of Delegation to Officers	7
ARTICLE 3 – AUTHORITY STRUCTURE	8
Structure of River Tees Port Health Authority	9
ARTICLE 4 – PROPER OFFICER APPOINTMENTS	11
ARTICLE 5 – AUTHORISATION OF OFFICERS OF THE AUTHORITY	13
ARTICLE 6 – PROCEDURE FOR SERVICE/AUTHORISATION OF LEGAL DOCUMENTS AND PROCEEDINGS	14
Procedure for Authorisation of Legal Proceedings/Documents	14
Specific Examples	14
Other Issues	14
ANNEX A – Scheme of Delegation to Officers	16
ANNEX B - Scheme of Delegation to Officers	23
ANNEX C - RIVER TEES PORT HEALTH AUTHORITY ORDER 2016	26

Summary and Explanation

The Authority's Constitution

The River Tees Port Health Authority ("the Authority") has agreed to adopt a formal Constitution which sets out how the Authority's duties and functions are executed in practice.

Operation of the Authority

The Authority is a joint board comprising of 17 members who are appointed annually by the four riparian authorities specified within the River Tees Port Health Authority Order 2016 - namely Redcar and Cleveland Borough Council, Hartlepool Borough Council, Middlesbrough Council and Stockton-on-Tees Borough Council.

Members of the Authority must also be members of the Council of the riparian authority responsible for appointing them and, by virtue of such membership, those individuals have agreed to abide by a code of conduct to ensure high standards in the way they undertake their duties.

All the appointed members meet together as the Authority. Meetings of the Authority are normally open to the public.

Decision Making

The provisions of section 99 and Parts I and VI of Schedule 12 of the Local Government Act 1972 apply to meetings of the Authority and decisions of the joint board will be made in accordance with those provisions. Routine operational decisions are delegated to the Authority's officers although such decisions are subject to scrutiny where appropriate.

Staff of the Authority

The Authority is managed by Redcar and Cleveland Borough Council and is part of the Council's management structure. The officers working for the Authority are subject to all the terms and conditions of the Council.

Redcar and Cleveland Borough Council is responsible for the management and delivery of the port health service. The Authority is part of the Environmental Health (Commercial) Team, in the Health Protection and Healthcare Quality Service, within the Growth, Enterprise and Environment Directorate.

Details of the officers of the Authority, their responsibilities and the management structure are included within this document.

ARTICLE 1 - CONSTITUTION

Joint board

- 1.1 The Authority is a joint board consisting of 17 members appointed by the four riparian authorities as specified in the River Tees Port Health Authority Order 2016 - that is to say Redcar and Cleveland Borough Council, Middlesbrough Council, Stockton-on-Tees Borough Council and Hartlepool Borough Council (hereinafter referred to as “the riparian authorities”).

Appointment of Members

- 1.2 Members will be appointed to the joint board by each of the riparian authorities (from members of its council) in the numbers specified below:

Redcar and Cleveland Borough Council:	5 members
Middlesbrough Borough Council:	5 members
Stockton-on-Tees Borough Council:	5 members
Hartlepool Borough Council:	2 members

The riparian authorities shall appoint members to the joint board at meetings to be held in June of each year.

- 1.3 Any vacancies occurring amongst members of the joint board shall be filled by the specified riparian authority in the representation of which the vacancy occurred at a meeting to be held as soon as possible after such occurrence.
- 1.4 The proper officer of each riparian authority shall forthwith notify in writing to the proper officer of the Authority the name, address and occupation of any person appointed by his/her own authority to be a member of the Authority.
- 1.5 A person appointed to be a member of the joint board shall cease to be such a member in the event that he/she ceases to be a member of the Council of the riparian authority by which he was appointed.

Retirement of Members

- 1.6 All members of the Authority shall retire from office, and the newly appointed members shall come into office following the first meeting in June of each year.
- 1.7 A retiring member of the joint board may be re-appointed for a further term of office if at the time of their re-appointment they are otherwise qualified to be so appointed.

Chair and Vice-Chair

1.8 The Chair and Vice-Chair of the joint board shall be elected annually by the members of the joint board from amongst the members.

1.9 The Chair and Vice-Chair elected each year shall be drawn from two different riparian authorities which shall be selected on a rotational basis in the following order:

Redcar and Cleveland Borough Council
Hartlepool Borough Council
Middlesbrough Borough Council
Stockton-on-Tees Borough Council.

1.10 The election of the Chair and Vice-Chair of the joint board shall be the first business transacted at the annual meeting of the joint board.

1.11 In the case of equality of votes, the person presiding at the annual meeting shall give a casting vote in addition to any other vote they may have.

1.12 The Chair shall, unless they resign or become disqualified, continue in office until their successor becomes entitled to act as Chair.

1.13 During their term of office, the Chair shall continue to be a member of the joint board.

1.14 The Chair and Vice Chair are entitled to be paid an allowance. The current rates for these allowances are as follows:

Chair: £1,416
Vice Chair: £1,339

1.16 The allowances will be paid by the relevant Councils of which of which the Chair and Vice Chair are currently elected members and reimbursed to those relevant Councils by the Authority.

1.17 The allowances may be subject to such periodic review as deemed appropriate by the Joint Board. The allowances have been paid at these rates since circa 2008/09 and all such payments are hereby authorised and ratified.

Voting

1.18 Voting rights in relation to the joint board shall be applicable only to the individual members specifically appointed to the joint board by the riparian authorities. Such rights shall not apply to individuals attending meetings of the joint board as substitute members who shall be permitted to take part in discussions but who shall not be permitted to cast any vote.

Expenses

- 1.19 Any expense incurred by the Authority in pursuance of its powers and duties shall be apportioned in the following percentages:

Redcar and Cleveland Borough Council:	52%
Stockton-on-Tees Borough Council:	31%
Middlesbrough Borough Council:	15%
Hartlepool Borough Council:	2%

ARTICLE 2 - FUNCTIONS OF THE AUTHORITY AND SCHEME OF DELEGATION

Functions of the Authority

- 2.1 By virtue of the River Tees Port Health Authority Order 2016, the Authority has a number of functions, rights and liabilities of a local authority assigned to it under various enactments. The Order is included within this Constitution at Annex A. Where an amendment or replacement to legislation included in the Order has taken place, the Scheme of Delegation will reflect the current legal position.
- 2.2 The Authority may delegate various functions to its officers in order that those functions are executed in the most practical and efficient manner possible.
- 2.3 Where functions are delegated the following rules will apply:
- (i) The officer to whom a delegated power is given may, (subject to any legal requirement to the contrary), delegate further.
 - (ii) Where any function is delegated to an officer, the joint board (i.e. the Authority) may direct that in any particular case that the delegation is not to apply, and may determine the matter itself.
 - (iii) An officer to whom any function is delegated is not obliged to exercise that obligation and may report to the Authority on any delegated matter.
- 2.4 The exercise of delegated powers under the constitution shall be recorded in writing and reported as soon as is practicable to the Authority.

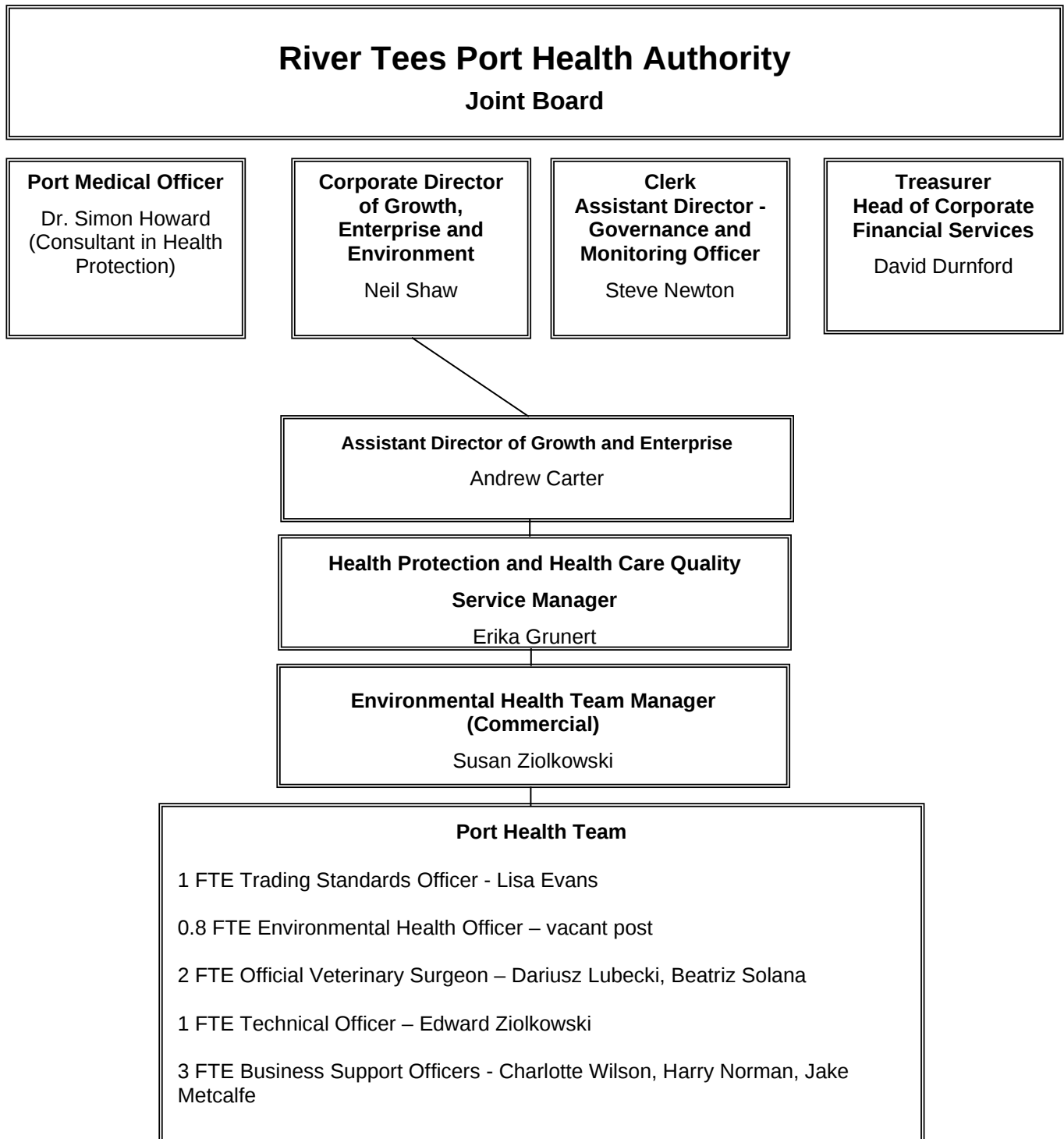
Scheme of Delegation to Officers

- 2.5 This Scheme sets out the powers that have been delegated to officers. The details of the Scheme are set out in Annex B. Additions and amendments to the Scheme are deemed not to be amendments to the constitution.

ARTICLE 3 – AUTHORITY STRUCTURE

- 3.1 The Authority is managed by Redcar and Cleveland Borough Council and is subject to all policies and procedures of the Council. The Authority operates as part of the Councils Environmental Health (Commercial) Team under the supervision of the Environmental Health Team Manager (Commercial).
- 3.2 The Environmental Health (Commercial) Team and RTPHA are part of the Health Protection and Healthcare Quality Service, which is within the Growth, Enterprise and Environment Directorate. There are a number of port health personnel who carry out the day-to-day responsibilities of the Authority, supported by other officers of the Environmental Health (Commercial) Team.
- 3.3 There are four officers, who report directly to the joint board:
- a) The Corporate Director of Growth, Enterprise and Environment, Redcar and Cleveland Borough Council.
 - b) The Clerk, Assistant Director - Governance and Monitoring Officer, Corporate Resources, Redcar and Cleveland Borough Council.
 - c) The Treasurer, Head of Corporate Financial Services, Corporate Resources, Redcar and Cleveland Borough Council.
 - d) The Port Medical Officer, Consultant in Health Protection, UK Health Security Agency.
- 3.4 The Health Protection and Healthcare Quality Service Manager has managerial responsibility for other officers authorised to act on behalf of the Authority. Officers from other riparian authorities who may be seconded to the Authority or who from time to time may have to assist Redcar and Cleveland Borough Council shall work under the direction of the Environmental Health Team Manager and shall devote the whole of their time, attention, and skills to their duties for the receiving authority.
- 3.4 The officer(s) shall faithfully and diligently perform duties and exercise such powers as may from time to time be reasonably assigned to or vested in them by the Environmental Health Team Manager or the Health Protection and Healthcare Quality Service Manager or under the direction and authority of the Authority. The officer(s) shall obey all reasonable and lawful directions given to them by or under such authority and shall use their best endeavours to promote the interests of the Authority. For the avoidance of doubt, the officer(s) will be subject to day-to-day line management from the receiving authority but with overall management responsibility falling to the seconding/assisting riparian authority under the contract of employment. The conditions of service of the seconding/assisting authority shall continue to apply to the officer(s) at all times.

Structure of River Tees Port Health Authority



ARTICLE 4 – PROPER OFFICER APPOINTMENTS

No	Provision	Power	Proper Officer
1	S225 Local Government Act 1972	The officer with whom any document shall be deposited pursuant to the Standing Orders of either House of Parliament or any enactment or instrument	The Clerk
2	S229 Local Government Act 1972	The officer who shall certify a photographic copy of a document	The Clerk
3	S234 Local Government Act 1972	The officer who may authenticate any notice, order or other document which the Authority is authorised or required to give, make or issue under the following legislation or under regulations made pursuant thereto: 1. The Agriculture Act 1970 2. Food Safety Act 1990 3. Public Health Act 1961 4. Clean Air Act 1993 5. Environmental Protection Act 1990 6. Control of Pollution Act 1974 7. Local Government (Miscellaneous Provisions) Act 1976 – sections 16 and 32 only. 8. The Public Health (Control of Diseases) Act 1984 9. The Food Safety and Hygiene (England) Regulations 2013 10. The Trade in Animals and Related Products Regulations 2011 11. The Official Food and Feed Controls Regulations 2009	Health Protection and Healthcare Quality Service Manager / Environmental Health Team Manager (Commercial)/ Environmental Health Officer/ Official Veterinarian/ Trading Standards Officer
4	S234 Local Government Act 1972	The officer who may authenticate any notice, order or other document which the	The Clerk

		Authority is authorised or required to give, make or issue other than those specified above.	
5	Public Health (Control of Disease) Act 1984 as amended and regulations made pursuant thereto	Powers in relation to disease control and public health risk assessments.	Port Medical Officer (Consultant in Health Protection)
6	Any provisions of any Act, Statutory Instrument requiring the appointment of a Proper Officer not dealt with above	Any power or requirement	The Clerk

ARTICLE 5 – AUTHORISATION OF OFFICERS OF THE AUTHORITY

- 5.1 For authorisation and competency of officers please refer to Quality System Procedure: QSP/EHC/06 Authorisation of officers.
- 5.2 The Environmental Health Team Manager will confirm that each of the riparian authorities has a similar quality system that ensures that only qualified and competent officers are authorised to act on their behalf.
- 5.3 The Environmental Health Team Manager will record the qualifications and any applicable registration number of any officer authorised to act on behalf of the Authority.

ARTICLE 6 – PROCEDURE FOR SERVICE/AUTHORISATION OF LEGAL DOCUMENTS AND PROCEEDINGS

- 6.1 The Authority is empowered by various enactments to serve legal documents and to institute legal proceedings.
- 6.2 Where the Authority intends to exercise a power of this nature, the procedure detailed below shall be complied with. In addition, the Authority will use best endeavours to comply with the principles contained in the Regulators' Code (<https://www.gov.uk/government/publications/regulators-code>) and with any relevant code of recommended practice and/or official guidance which might exist at the time the power is exercised.

Procedure for Authorisation of Legal Proceedings/Documents

Introduction

- 6.3 The Health Protection and Healthcare Quality Service Manager, the Environmental Health Team Manager, Environmental Health Officers, Trading Standards Officers and Official Veterinarians issue a number of legal documents including and relating to; Statutory Notices, Permits, Simple Cautions and Prosecutions. This documentation will be signed in the name of the individually authorised officer.

Specific Examples

- 6.4 **Notices** - The decision to serve a legal notice rests with the individual officers and they will prepare and sign all the relevant paperwork.
- 6.5 **Simple Cautions** - The decision to offer a simple caution will be made in accordance with the Scheme of Delegation and with approval from the Clerk to the Authority and the Corporate Director of Growth, Enterprise and Environment, RCBC. A simple caution will be subject to sufficient evidence to warrant a prosecution.
- 6.6 **Prosecutions** - The decision to prosecute will be made in accordance with the Scheme of Delegation and the officer will prepare the evidence for the prosecution for approval by the Clerk to the Authority.

Other Issues

- 6.7 Where appropriate, reference will be made to all relevant Statutory Codes of Practice and guidance, including the Regulators' Code and the Authority's Enforcement Policy before legal action is taken. The Enforcement Policy will be followed when any form of legal action is considered.

- 6.8 The Health Protection and Healthcare Quality Service Manager and the Corporate Director of Growth, Enterprise and Environment are authorised to instigate prosecutions and administer simple cautions by virtue of the Scheme of Delegation contained herein.
- 6.9 All decisions made relating to prosecutions and simple cautions will be advised to the Chair and Vice-Chair of the Authority, together with details of the costs of such action.

ANNEX A – Scheme of Delegation to Officers

No.	Powers and Duties	Delegation exercised by any of the officers assigned to each duty/power	Origin and Extent of Delegation	Checks and balances
1	Food Service Plan – Annual Statutory requirement of Food Standards Agency.	Environmental Health Team Manager (Commercial)	Joint board delegated.	Submitted for member approval as part of Annual Report.
2	Preparation of annual budget.	- Treasurer - Health Protection and Healthcare Quality Service Manager - Environmental Health Team Manager (Commercial)	Joint board delegated.	Submitted for member approval.
3	Monitoring of Annual Budget.	- Treasurer - Health Protection and Healthcare Quality Service Manager - Environmental Health Team Manager (Commercial)	Joint board delegated.	
4	To address new legislation and respond to consultations.	- Clerk - Health Protection and Healthcare Quality Service Manager - Environmental Health Team Manager (Commercial)	Joint board delegated.	In consultation with the Chair or Vice Chair.
5	To secure improvements in service delivery.	- Health Protection and Healthcare Quality Service Manager - Environmental Health Team Manager (Commercial)	Joint board delegated.	In consultation with the Clerk.
6	To review management structures and make changes within budget; To appoint all staff below Environmental Health Team Manager (Commercial).	- Clerk - Corporate Director of Growth, Enterprise and Environment - Health Protection and Healthcare Quality Service Manager	Joint board delegated.	In consultation with the Treasurer and the Clerk with advice from RCBC Human Resources department.
7.	To determine any matter which the Clerk, Treasurer or Corporate Director of Growth, Enterprise and Environment considers to be of such urgency that it is not possible to immediately refer the matter to the relevant decision maker.	- Clerk - Treasurer - Corporate Director of Growth, Enterprise and Environment - Health Protection and Healthcare Quality Service Manager	Joint board delegated.	In consultation with Chair/Vice Chair. Subsequent report to members.

8	To authorise any named officer to exercise powers delegated to the Clerk, Treasurer or Corporate Director of Growth, Enterprise and Environment.	• Clerk • Treasurer • Corporate Director of Growth, Enterprise and Environment • Health Protection and Healthcare Quality Service Manager	Joint board delegated.	
9	Human Resources functions including conditions of service, designation of posts, recruitment.	• Clerk • Treasurer • Corporate Director of Growth, Enterprise and Environment • Health Protection and Healthcare Quality Service Manager in accordance with policies of RCBC.	Joint board delegated.	With advice from RCBC Human Resources department.
10	To approve the attendance of employees at training courses.	• Corporate Director of Growth, Enterprise and Environment • Health Protection and Healthcare Quality Service Manager	Joint board delegated.	
11	To issue Simple Cautions pursuant to those Statutory functions within the remit of the Authority.	• Clerk • Corporate Director of Growth, Enterprise and Environment • Health Protection and Healthcare Quality Service Manager	Joint board delegated.	

12	To institute, prosecute, defend, withdraw, conduct, settle or appeal any legal proceedings which do not involve the Authority being exposed to a significant level of risk in financial or other terms, on behalf of the Authority; including legal proceedings for contraventions of any of the statutory provisions set out in this scheme, including contraventions of any related statutory instruments, regulations or orders and all appropriate legal proceedings under common law, other than where any statutory provision, enactment or the Authority give specific authority to a particular Officer, including the authentication of such proceedings other than where so authorised pursuant to procedure rules contained in this constitution relating to the authentication of documents for legal proceedings.	• Clerk • Health Protection and Healthcare Quality Service Manager • Environmental Health Team Manager (Commercial)	Joint board delegated.	
13	To take any necessary steps, including the commencement of legal proceedings to secure the payment of any debt or to enforce the performance of any obligation due to the Authority and to take any such steps as he may consider necessary to enforce any judgement order.	• Clerk	Joint board delegated.	In consultation with the Corporate Director of People Services and Treasurer.
14	Local Government Act 1972 – Proper Officer functions.	• Clerk • Corporate Director of Growth, Enterprise and Environment • Health Protection and Healthcare Quality Service Manager	Joint board delegated.	
15	S.151 Local Government Act 1972. Proper Administration of Financial affairs and requirement to report to the Authority any breach.	• Treasurer	Joint board delegated.	

16	S.114 LG Act 1988. Requirement to report to authority if (a) unlawful expenditure (b) unbalanced budget.	• Treasurer	Joint board delegated.	In consultation with Clerk and Chair or Vice-Chair.
17	Accounts and Audit Regulations 1996 – proper accounting records and control systems in accordance with CIPFA Codes of Practice – effective Internal audit.	• Treasurer	Joint board delegated.	
18	Attorney General v Dr. Winton 1906, fiduciary responsibility to local taxpayers.	• Treasurer	Joint board delegated.	
19	Agree payment dates for precepting authorities.	• Treasurer	Joint board delegated.	
20	Prepare Annual Accounts for Audit.	• Treasurer	Joint board delegated.	External Audit.
21	Approve adjustments to Accounts.	• Treasurer	Joint board delegated.	In consultation with the Clerk.
22	Review Insurance Contract.	• Treasurer	Joint board delegated.	In consultation with the Clerk and the Corporate Director of Adult and Communities.
23	Develop rolling Audit plan based on risk assessment.	• Treasurer	Joint board delegated.	
24	Reporting of serious weakness in systems and fraud and corruption to the Authority.	• Treasurer	Joint board delegated.	In consultation with the Clerk and the Corporate Director of Adult and Communities.
25	Implement the Authority's payroll system and monitor operation.	• Treasurer	Joint board delegated.	
26	Co-ordinate and manage financial transactions with pension funds, inland revenue and charities.	• Treasurer	Joint board delegated.	
27	Operate and Control payments system.	• Treasurer	Joint board delegated.	
28	Operate and Control Debtors systems.	• Treasurer	Joint board delegated.	

29	Develop write off protocols.	• Treasurer	Joint board delegated.	In consultation with the Clerk and the Corporate Director of Adult and Communities.
30	Duty or power of the authority to act or take actions under the legislation set out in Annex C.	• Clerk • Corporate Director of Growth, Enterprise and Environment • Health Protection and Healthcare Quality Service Manager • Environmental Health Team Manager (Commercial) • Environmental Health Officers • Trading Standards Officers • Technical Officers	Joint board delegated.	
31	Exercise of powers of entry, investigation, inspection and ancillary related powers authorised by and contained within those statutes listed in Annex C including all relevant statutory provisions made there under.	• Clerk • Corporate Director of Growth, Enterprise and Environment s • Health Protection and Healthcare Quality Service Manager • Environmental Health Team Manager (Commercial) • Environmental Health Officers • Trading Standards Officers • Port Health Technical Officers	Joint board delegated.	
32	To sign and issue statutory notices, directions and orders as the proper officer for statutes in Annex C unless otherwise stated including, but not limited to, authorisation in respect of prescribed processes, enforcement, prohibition, revocation and variation notices. To sign authorisations in respect of prescribed processes.	• Clerk • Corporate Director of Growth, Enterprise and Environment • Health Protection and Healthcare Quality Service Manager • Environmental Health Team Manager (Commercial) • Environmental Health Officers • Trading Standards Officers • Official Veterinarians	Joint board delegated.	

33	To appoint and authorise officers and other persons acting on behalf of the Authority to carry out those duties and functions contained within those statutes listed in the Annex C including all relevant statutory provisions made there under including powers of entry, investigation and inspection.	• Clerk • Corporate Director of Growth, Enterprise and Environment • Health Protection and Healthcare Quality Service Manager	Joint board delegated.	
34	Food Safety Act 1990: To exercise the powers of an authorised officer under the Food Safety Act 1990 as amended Sections 9, 10, 12, 29, 30, 32 and any other relevant regulations and provisions made there under. Food Safety and Hygiene (England) Regulations 2013: To exercise the powers of an authorised officer under the Food Safety and Hygiene (England) Regulations 2013, Regulations 6, 8, 9, 10, 14, 15, 16 and 29.	• Corporate Director of Growth, Enterprise and Environment • Health Protection and Healthcare Quality Service Manager • Environmental Health Team Manager (Commercial) • Environmental Health Officers • Trading Standards Officers	Joint board delegated.	
35	Authority to: Grant and issue full and conditional approvals of product specific establishments under the provision of the Food Safety and Hygiene (England) Regulations 2013.	• Corporate Director of Growth, Enterprise and Environment • Health Protection and Healthcare Quality Service Manager • Environmental Health Team Manager (Commercial)	Joint board delegated.	
36	Authority to: Refuse, suspend, or withdraw approvals of conditional approvals or product specific establishments under the provision of the Food Safety and Hygiene (England) Regulations 2013.	• Corporate Director of Growth, Enterprise and Environment • Health Protection and Healthcare Quality Service Manager • Environmental Health Team Manager (Commercial)	Joint board delegated.	
37	Appointment of Veterinary Officers for duties as Port Official Veterinarian.	• Corporate Director of Growth, Enterprise and Environment • Health Protection and Healthcare Quality Service Manager	Joint board delegated.	In consultation with Chair or Vice Chair.

38	Food hygiene training: Power to set charges and vary as appropriate.	• Environmental Health Team Manager (Commercial)	Joint board delegated.	
39	Power to Appoint: Public Analyst Food Examiner.	• Corporate Director of Growth, Enterprise and Environment • Health Protection and Healthcare Quality Service Manager	Joint board delegated.	In consultation with Chair/Vice Chair.
40	Food and Environmental Protection Act, 1985 (as Amended): Power to take emergency action on behalf of the FSA to protect foodstuffs.	• Corporate Director of Growth, Enterprise and Environment • Health Protection and Healthcare Quality Service Manager • Environmental Health Team Manager (Commercial)	Joint board delegated.	
41	Review of Authority Health and Safety Policy.	• Health Protection and Healthcare Quality Service Manager • Environmental Health Team Manager (Commercial)	Joint board delegated.	In consultation with the Clerk.

ANNEX B - Scheme of Delegation to Officers

This list of Statutes encompasses all directions, orders and regulations made there under:

- Public Health Act 1875
- Public Health Act 1936
- Public Health Act 1961
- Slaughterhouses Act 1974
- Control of Pollution Act 1974
- Local Government Act 1972 (as amended)
- Local Government (Miscellaneous Provisions) Act 1976
- Local Government Act 1988
- Accounts and Audit Regulations 1996
- Building Act 1984 (c.55)
- Food Safety Act 1990 (c.16)
- Water Industry Act 1991 (c.56)
- Clean Air Act 1993 (c.11)
- Noise and Statutory Nuisance Act 1993 (c.40)
- The Health Act 2006
- The Smoke-free (Premises and Enforcement) Regulations 2006
- Trade in Animals and Related Products Regulations 2011 (as amended)
- The Transmissible Spongiform Encephalopathies (England) Regulations 2010
- Animal By-Products (Enforcement) (England) Regulations 2013
- Animal Feed (England) Regulations 2010
- The Official Feed and Food Controls (England) Regulations 2009 as amended and all Emergency Control Declarations made thereunder
- Prevention of Damage by Pests Act 1949
- Environmental Protection Act 1990
- Pollution and Prevention Control Act, 1999
- Environmental Permitting (England and Wales) Regulations 2016
- Food and Environment Protection Act 1985
- Feed (Sampling and Analysis and Specified Undesirable Substances) (England) Regulations 2010
- The Organic Products Regulations 2009 (as amended)
- The Plastic Kitchenware (Conditions on Imports from China) (England) Regulations 2011
- The Contaminants in Food (England) Regulations 2013
- Materials and Articles in Contact with Food (England) Regulations 2012
- The Food Information Regulations 2014
- Animal Feed (Composition, Marketing and Use) (England) Regulations 2015 (as amended)
- Animal Feed (Hygiene, Sampling, etc. and Enforcement) (England) Regulations 2015

- Animal Feed (Composition, Marketing and Use) (England) Regulations 2015
- Country of Origin of Certain Meats (England) Regulations 2015
- All Emergency Control Regulations

Scheme of Delegation to Officers to which Delegated Powers 31 to 37 apply

This list of Statutes encompasses all directions, orders and regulations made there under:

- The Food Safety and Hygiene (England) Regulations 2013 (as amended)
- The Food Safety Act 1990 as amended
- The Agricultural Act 1970 as amended
- The Public Health (Control of Diseases) Act 1984 (as amended)
- The Health Act 2006
- The Smoke-free (Premises and Enforcement) Regulations 2006
- Trade in Animals and Related Products Regulations 2011
- The Transmissible Spongiform Encephalopathies (England) Regulations 2010
- Animal By-Products (Enforcement) (England) Regulations 2013
- Animal Feed (England) Regulations 2010
- The Official Feed and Food Controls (England) Regulations 2009 as amended and all Emergency Control Declarations made there under
- All Emergency Control Regulations
- Feed (Sampling and Analysis and Specified Undesirable Substances) (England) Regulations 2010
- Prevention of Damage by Pests Act 1949
- Environmental Protection Act 1990
- Public Health Act 1936
- Public Health Act 1961
- Pollution and Prevention Control Act 1999
- Pollution Prevention and Control (England and Wales) Regulations 2000 (as amended)
- Environmental Permitting (England and Wales) Regulations 2016
- Food and Environment Protection Act 1985
- Materials and Articles in Contact with Food (England) Regulations 2012
- The Contaminants in Food (England) Regulations 2013
- The Organic Products Regulations 2009 as amended
- The Plastic Kitchenware (Conditions on Imports from China) (England) Regulations 2011
- The Food Information Regulations 2014
- Animal Feed (Composition, Marketing and Use) (England) Regulations 2015

- Animal Feed (Hygiene, Sampling, etc. and Enforcement) (England) Regulations 2015
- Animal Feed (Composition, marketing and use) (England) Regulations 2015
- Country of Origin of Certain Meats (England) Regulations 2015

**ANNEX C - RIVER TEES PORT HEALTH AUTHORITY ORDER
2016**

2016 No. 644

PORT HEALTH AUTHORITIES, ENGLAND

The River Tees Port Health Authority Order 2016

Made - - - - *13th June 2016*

Coming into force - - *14th June 2016*

The Secretary of State for Health makes the following Order in exercise of powers conferred by sections 2(3) and (4)(b), 3, 4(1) and 5(2) of the Public Health (Control of Disease) Act 1984(a) and section 241 of the Local Government Act 1972(b).

The Secretary of State has given notice as required by sections 2(6) and 4(2) of the Public Health (Control of Disease) Act 1984(c) and has not received any notice of objection.

Citation, commencement, application and interpretation

1.—(1) This Order may be cited as the River Tees Port Health Authority Order 2016 and comes into force on 14th June 2016.

(2) This Order applies to England.

(3) In this Order—

“the Act” means the Public Health (Control of Disease) Act 1984;

“the joint board” means the joint board established under article 3;

“the Port of Tees and Hartlepool” means the port of that name as appointed for the purposes of customs and excise under section 19(1) of the Customs and Excise Management Act 1979(d) (appointment of ports etc.); and

“the relevant riparian authorities” means Redcar and Cleveland Borough Council, Stockton-on-Tees Borough Council, Middlesbrough Borough Council and Hartlepool Borough Council(e).

(4) References in this Order to reference points are to be construed as references to National Grid reference points.

-
- (a) 1984 c.22; section 3 of the Public Health (Control of Disease) Act 1984 (“the Act”) was amended by the Food Safety Act 1990 (c.16), Schedule 3, paragraph 26, and section 5(2) of the Act was amended by the Health and Social Care Act 2008 (c.14), Schedule 11, paragraph 4.
- (b) 1972 c.70; section 241 has been extended by section 3(3) of the Act.
- (c) Where the Secretary of State proposes to make an order under section 2 of the Act, the Secretary of State is required, under section 2(6), to give notice of the proposal to every riparian authority who will under the order be liable to contribute to the expenses of the port health authority. In addition, if a port health authority order is to be revoked, under section 4(2), the Secretary of State must also give notice to the port health authority concerned and every authority which is, or under the proposed order will be, a constituent authority.
- (d) 1979 c.2; the Port of Tees and Hartlepool was appointed for these purposes under section 19(1) by S.I. 1980/485.
- (e) See section 2(2) of the Act for the meaning of “riparian authority”.

The port health district

2.—(1) For the purposes of section 2 of the Act (port health districts and authorities), the area described in paragraph (2) is to constitute a port health district.

(2) The area described in this paragraph consists of those parts of the Port of Tees and Hartlepool together with such land and water as is specified in sub-paragraphs (a) to (c)—

- (a) that part of the Port of Tees and Hartlepool which lies upstream of a line drawn from the most northerly point of the North Gare Breakwater (reference point NZ5442 2843) and the South Gare Buzzer House (reference point NZ5580 2840), including those waters of the River Tees as far as the tide flows up stream to the Tees Barrage (reference point NZ4624 1903);
- (b) any wharf, dock, jetty or similar structure on the riverside of, or projecting into, that part of the Port of Tees and Hartlepool and the River Tees described in sub-paragraph (a); and
- (c) any structures and buildings on areas within the gates of any wharf, dock, jetty or similar structure within the districts of the relevant riparian authorities.

The port health authority

3.—(1) The port health authority for the port health district constituted under article 2 is a joint board consisting of 17 members.

(2) The members of the joint board must be appointed by the relevant riparian authorities from the members of their respective councils as follows—

- (a) five members from Redcar and Cleveland Borough Council;
- (b) five members from Stockton-on-Tees Borough Council;
- (c) five members from Middlesbrough Borough Council; and
- (d) two members from Hartlepool Borough Council.

(3) The joint board constituted under paragraph (1) is to be a body corporate called the River Tees Port Heath Authority.

Appointment of members to and meetings of the joint board

4.—(1) The relevant riparian authorities must appoint members to the joint board at meetings to be held in May of each year.

(2) The joint board must meet at least four times in each year.

(3) If a person appointed to the joint board is unable to attend any meeting of the joint board, another member of the council of the relevant riparian authority of which that person is a member may attend that meeting instead.

(4) Any vacancy occurring amongst members of the joint board must be filled by the relevant riparian authority in relation to whose representation the vacancy occurred at a meeting to be held as soon as possible after each such occurrence.

(5) At least 3 days before a meeting of a relevant riparian authority at which it is proposed to appoint a member of the joint board, the proper officer^(a) of that authority must give notice of the meeting, and of the proposed appointment, to every member of that authority.

(6) The proper officer of a relevant riparian authority must immediately give notice in writing to the proper officer of the joint board of the name, address and occupation of any person appointed by that officer's authority to be a member of the joint board.

(7) A person appointed to the joint board ceases to be a member of the board if that person ceases to be a member of the council of the relevant riparian authority by which they were appointed.

(a) Under section 74 of the Act (interpretation), a "proper officer" means, in relation to a purpose and to an authority, an officer appointed for that purpose by that authority.

Retirement of members

5.—(1) All members of the joint board must retire from office and the newly appointed members come into office on the first Friday in June of each year.

(2) If, but for paragraph (1), a retiring member of a joint board is qualified to be appointed to the board, that member may be re-appointed for a further term of office.

Chair of the joint board

6.—(1) The members of the joint board must elect the chair of the joint board annually from amongst the members.

(2) The election of the chair must be the first business transaction at the annual meeting of the joint board which takes place on the first Friday in June of each year.

(3) If, in the election of the chair, there is an equality of votes, the person presiding at the annual meeting has a casting vote in addition to any other vote which that person may have.

(4) Unless the chair resigns or becomes disqualified to act as chair, the chair is to continue in office until a successor is elected as chair.

(5) During a person's term of office as chair, that person is to continue to be a member of the joint board.

Jurisdiction

7. The joint board as port health authority has jurisdiction over all waters and land within the port health district.

Application of provisions of Local Government Act 1972 to the joint board

8.—(1) For the purposes of section 241 of the Local Government Act 1972(a) (power to apply provisions of Act to joint boards etc.), the provisions of that Act which are listed in Schedule 1 are to apply to the joint board as port health authority.

(2) In the application of those provisions by paragraph (1), a reference in that Act—

- (a) to local authorities or to any council, is to be read as a reference to the joint board;
- (b) to an office held under that Act or otherwise, is to be read as a reference to the office of member of the joint board; and
- (c) to functions, is to be read as functions conferred on the joint board as port health authority under this Order.

Functions assigned to the joint board

9.—(1) The functions, rights and liabilities of a local authority or a food authority under the enactments specified in Schedule 2 are assigned to the joint board as port health authority in so far as they are applicable to a port health authority and to any land, waters, premises, vessels or persons within its jurisdiction.

(2) Subject to paragraph (3), the enactments specified in Schedule 2 in respect of the functions, rights and liabilities that are assigned to the joint board under paragraph (1), are to have effect as if—

- (a) any vessel lying within the jurisdiction of the joint board is a house, building or premises; and
- (b) the master or other officer or person in charge of the vessel is the occupier.

(3) This article does not apply to—

(a) 1972 c.70.

- (a) any vessel belonging to Her Majesty; or
- (b) any vessel engaged in the service of Her Majesty, whether belonging to Her Majesty or not; or
- (c) any vessel belonging to the armed forces of any country to which the provisions of the Visiting Forces Act 1952(a) apply by virtue of section 1(b) (countries to which Act applies) of that Act.

Expenses

10. Any expenses incurred by the joint board must be defrayed out of a common fund which is to be contributed to by the relevant riparian authority specified in column 1 of the following table in the proportion specified in relation to that authority in column 2 of that table—

Table

<i>Column 1</i>	<i>Column 2</i>
Redcar and Cleveland Borough Council	52%
Stockton-on-Tees Borough Council	31%
Middlesbrough Borough Council	15%
Hartlepool Borough Council	2%

Accounts and audit

11. All accounts of the joint board must be prepared and audited in accordance with the Local Audit and Accountability Act 2014(c).

Revocation

12. The River Tees Port Health Authority Order 1982(d) is revoked.

Signed on behalf of the Secretary of State for Health.

13th June 2016

Ailsa Wight
Member of the Senior Civil Service
Department of Health

-
- (a) 1952 c.67.
 - (b) Section 1 was amended by the Zanzibar Act 1963 (c.55), Schedule 1, paragraph 7; the Zambia Independence Act 1964 (c.65), Schedule 1, paragraph 7; the Botswana Independence Act 1966 (c.23), Schedule 1, paragraph 7; the Lesotho Independence Act 1966 (c.24), Schedule 1, paragraph 7; the Singapore Act 1966 (c.29), Schedule 1, paragraph 4; the Swaziland Independence Act 1968 (c.56), Schedule 1, paragraph 7; the Tonga Act 1970 (c.22), Schedule 1, paragraph 6; the Papua New Guinea, Western Samoa and Nauru (Miscellaneous Provisions) Act 1980 (c.2), Schedule, paragraph 9; the New Hebrides Act 1980 (c.16), Schedule 1, paragraph 4; the Bangladesh Act 1973 (c.49), Schedule 1, paragraph 2; the Brunei and Maldives Act 1985 (c.3), Schedule, paragraph 6; the Pakistan Act 1990 (c.14), Schedule, paragraph 5; the Namibia Act 1991 (c.4), Schedule, paragraph 4; the South Africa Act 1995 (c.3), Schedule 1, paragraph 5(1); the Commonwealth Act 2002 (c.39), Schedule 2, paragraph 3(1); S.I. 1978/1030, 1978/1899, 1979/917, 1980/701, 1981/1105 and 1983/882. There are other amending enactments but none is relevant.
 - (c) 2014 c.2. A port health authority for a port health district that is wholly in England is a “relevant authority” for the purposes of section 2(1) (relevant authorities) of the 2014 Act. **See** paragraph 15 of Schedule 2 (relevant authorities).
 - (d) S.I. 1982/1274.

SCHEDULE 1

Article 8

Provisions of the Local Government Act 1972 applied to the Port Health Authority

Local Government Act 1972(a)	
Sections 79-82	Qualifications and disqualifications
Section 84	Resignations
Section 85	Vacation of office by failure to attend meetings
Section 88(1) and (2)	Filling casual vacancy in the office of chairman
Section 92	Proceedings of disqualification
Sections 99 and Parts 1 and 6 of Schedule 12	Meetings and proceedings of local authorities
Section 100	Admission of the public and press to meetings
Sections 101-102	Arrangements for discharge of functions by local authorities and appointment of committees
Section 111	Subsidiary powers of local authorities
Section 112-117 and 119	Staff
Sections 120-123 and 128-131	Land transactions
Section 132	Provision of offices
Section 135	Contracts
Section 140	Insurance against accidents to members
Section 143	Subscription to associations
Sections 222-223	Legal proceedings
Sections 224-234	Documents and notices, etc.

SCHEDULE 2

Article 9

Functions etc. of authorities assigned to the Port Health Authority

Public Health Act 1936(b)	
Section 1(1) (insofar as it relates to sections 45, 49-52, 83 and 264)	Duty to enforce the Act
Section 45	Buildings with defective closets capable of repair
Section 48	Power to examine and test drains etc.
Section 49	Rooms over closets of certain types etc.
Section 50	Overflowing and leaking cesspools
Section 81	Byelaws for the prevention of certain nuisances
Section 82	Byelaws as to removal through streets of offensive matter or liquid
Sections 83 to 86	Filthy or verminous premises or articles, verminous persons and provision of cleansing stations
Section 140	Power to close, or restrict use of water from, polluted water supply

(a) 1972 c.70

(b) 1936 c.49.

Sections 260, 264-265	Provisions relating to watercourses, ponds, ditches and culverts
Section 268(4)	Byelaws relating to nuisances arising from tents, vans, sheds, etc.
Part 12	Miscellaneous provisions (including powers of entry)
Public Health Act 1961(a)	
Section 36	Power to require vacation of premises during fumigation
Section 73	Derelict petrol tanks
Slaughterhouses Act 1974(b)	
Part 1	Slaughterhouses and knackers' yards
Control of Pollution Act 1974(c)	
Part 3	Noise
Part 5	Supplementary provisions (including powers of entry and inspection, obtaining information and default powers)
Local Government (Miscellaneous Provisions) Act 1976(d)	
Section 16	Power of local authorities to obtain particulars of persons interested in land
Section 32	Power of local authorities to execute works outside their areas
Section 41	Evidence of resolutions and minutes of proceedings etc.
Public Health (Control of Disease) Act 1984(e)	
Section 45M and all functions conferred under the Health Protection (Part 2A Orders) Regulations 2010(f)	Local authority power to apply to a justice of the peace for an order to protect human health from risk of infection or contamination
Section 46	Duty to arrange for a body to be buried or cremated
Section 48	Removal of body to mortuary or for immediate burial
Building Act 1984(g)	
Section 76	Powers to deal with defective premises
Food Safety Act 1990(h)	Food authority enforcement functions relating to food safety
Water Industry Act 1991(i)	
Part 3	Water supply
Clean Air Act 1993(j)	Air pollution
Noise and Statutory Nuisance Act 1993(k)	Noise pollution (street noise)
The Private Water Supplies Regulations 2009(l)	Private water supplies

- (a) 1961 c.64.
(b) 1974 c.3.
(c) 1974 c.40.
(d) 1976 c.57.
(e) 1984 c.22.
(f) S.I. 2010/658.
(g) 1984 c.55.
(h) 1990 c.16.
(i) 1991 c.56.
(j) 1993 c.11.
(k) 1993 c.40.
(l) S.I. 2009/3101.

The Official Feed and Food Controls (England) Regulations 2009(a)	Execution and enforcement of import controls. Designation of competent authority.
The Health Protection (Local Authority Powers) Regulations 2010(b)	Health protection powers
The Transmissible Spongiform Encephalopathies (England) Regulations 2010(c)	Arrangements and enforcement to prevent, control and eradicate transmissible spongiform encephalopathies
The Plastic Kitchenware (Conditions on Imports from China) (England) Regulations 2011(d)	Execution and enforcement of conditions and procedures for the import of polyamide and melamine plastic kitchenware from China and Hong Kong.
The Animal By-Products (Enforcement) (England) Regulations 2013(e)	Enforcement

EXPLANATORY NOTE

(This note is not part of the Order)

This Order constitutes the Port of Tees and Hartlepool port health district. It constitutes a joint board, consisting of representatives from the Redcar and Cleveland Borough Council, Stockton-on-Tees Borough Council, Middlesbrough Borough Council and Hartlepool Borough Council to be the port health authority for that district. Provision is also made for those authorities to contribute to the expenses of the joint board.

Articles 8 and 9 and Schedules 1 and 2 relate to the jurisdiction and functions of the joint board as port health authority.

Article 12 revokes the River Tees Port Health Authority Order 1982.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sector is foreseen.

© Crown copyright 2016

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

-
- (a) S.I. 2009/3255.
 - (b) S.I. 2010/657.
 - (c) S.I. 2010/801.
 - (d) S.I. 2011/1517.
 - (e) S.I. 2013/2952.

£6.00

UK2016061326 06/2016 19585

<http://www.legislation.gov.uk/id/uksi/2016/644>

ISBN 978-0-11-114753-5



9 780111 147535

River Tees Port Health Authority

Risk Management



Public

To:	River Tees Port Health Authority	Date:	12 June 2026
From:	Corporate Director - Growth Enterprise Environment	Decision type:	Committee
Portfolio:	Health, Housing and Welfare	Forward Plan	N/A
Priority:	All priorities	reference:	
Ward(s):	ALL		

1 What is the recommendation?

- 1.1 It is recommended that the Risk Management Strategy and Corporate Risk and Opportunity Register for River Tees Port Health Authority is approved.

2 What part of the Corporate Plan does this report deliver and how, and what options have been considered?

- 2.1 The Authority must have a risk management strategy and risk register to ensure that risk is managed effectively.
- 2.2 The risk management strategy and risk register are brought to the Board annually, the only change being a new Treasurer for the Port Health Authority.
- 2.3 The strategy has no amendments and the register has been updated to reflect the risks associated with the trade deal currently being negotiated between the EU and the UK.

3 Who has been consulted and engaged?

- 3.1 Treasurer to RTPHA.
Officers and representatives of the Riparian Authorities.

4 What are the risks and resource implications?

- 4.1 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.

5 Appendices and further information

- 5.1 Appendix D – Risk Management Strategy 2026/27
- 5.2 Appendix E - RTPHA Corporate Risk and Opportunity Register V21 June 2026

6 Background papers

6.1 No background papers other than published works were used in writing this report.

7 Contact Officer

7.1 Name: Sue Ziolkowski
Position: Environmental Health Team Manager (Commercial)
Address: River Tees Port Health Authority, Seafield House,
Kirkleatham Street, Redcar TS10 1SP

Telephone: (01287) 612404

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



River Tees Port Health Authority

Risk Management Strategy

2026 – 2027

For approval June 2026

Risk Management Strategy

1. Policy Statement

- 1.1. River Tees Port Health Authority is a small organisation that provides a range of services to both businesses and residents across the Tees Valley. Risk management is a critical element of Corporate Governance and risks must be reduced to an acceptable level, or where possible, eliminated. The Authority is committed to maintaining a systematic and cost-effective approach to the identification and management of risk which complies with best practice, statutory and audit requirements, and the creation of an environment that does not give rise to any surprises.
- 1.2. By managing any threats effectively, the Authority will be in a stronger position to deliver its business objectives. The Authority will proactively identify, understand and manage risks inherent in its service so as to encourage responsible and informed risk taking.

2. Risk Management Strategy

- 2.1. The Authority's Risk Management Strategy will be regularly reviewed to ensure it reflects best practice and promotes continuous improvement in the management of risk. It provides a framework to support members of the joint board and officers in their work to address risk and so enables the Authority to discharge fully its responsibilities in this area.
- 2.2. The strategy identifies the objectives and benefits of managing risk, outlines responsibilities for risk management, and provides an overview of the process to manage risk successfully. Effective risk management is the systematic identification and treatment of risk, to reduce the possibility of failure and increase the likelihood of success. It is a continuous process that runs through the Authority's business and is critical to effective decision making and performance management.

3. Aims, Objectives and Benefits

Aims

- 3.1. The aim of the strategy is to improve the Authority's ability to manage threats to its service.

Objectives

- 3.2. Ensure all risks are managed in accordance with best practice and comply with all statutory and audit requirements.
- 3.3. Ensure risk management is embedded in our culture making it integral to the service.
- 3.4. To communicate the Authority's approach to risk management to all employees, members of the joint board, partners and stakeholders.

Benefits

- 3.5. Reduction in failure, loss, damage, and injury caused by risk.
- 3.6. Improve service planning, delivery and performance, and resilience.
- 3.7. Improve financial performance.
- 3.8. Protecting against fraud and poor stewardship of public money.
- 3.9. Compliance with statutory and regulatory requirements.

4. Risk Management Process

- 4.1. Risk assessment is a central component of risk management that is used to identify, analyse and control risk and is an examination of what could affect the Authority's service provision. The objective is to ensure relevant control measures are in place to mitigate potential risks that may occur. The risk register will be reviewed and monitored on a quarterly basis and reported on at least an annual basis to the board.

5. Roles and Responsibilities

- 5.1. Risk Management is a part of everyone's role within the Authority in their day-to-day work which involves all Elected Members, management and officers who have both a collective and individual responsibility in the management of risk.

Table of Roles and Responsibilities

Person or group	Role and Responsibility
Joint Board	Approves the Authority's Risk Management Strategy and monitors the risk register on a quarterly basis.
Director	Acts as senior operational manager to ensure that the Authority manages risk effectively at a strategic level.
Service Manager/ Principal Officer	Ensures risks are managed effectively in the Authority.
Port Health Officers	Manage risk effectively in their job. Report hazards to the Environmental Health Team Manager.
Treasurer	Acts to ensure that the Authority has effective financial management.
Internal and External Audit	Review of the effectiveness of the Authority's arrangements for financial management.

6. Skills and Expertise

- 6.1. The Authority will ensure it has the skills and expertise necessary to manage risk by awareness and training sessions delivered to all members and officers.

7. Service Planning

- 7.1. RTPHA Service Plan details the delivery of the port health service, which includes the inspection of ships, enforcement of food, feed and environmental protection laws, and the prevention and control of infectious diseases.
- 7.2. The plan has been prepared in accordance with the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement and takes account the Agency's guidance on Imported Food and Feed Control. The Service Plan receives approval from the joint board of RTPHA and is reviewed annually.
- 7.3. RTPHA Service Plan may produce recommendations that will affect the future of the Authority and the delivery of the service. It is essential that risks are properly assessed to deliver the intended benefit to the service user.

8. Continuous Improvement

- 8.1. RTPHA is committed to continually improving the service it provides by acting on feedback and removing obstacles to efficiency effectiveness. There may be times when things do not go to plan and it is important that the Authority learns from any incidents and shares and communicates this knowledge.

9. Conclusions

- 9.1. Risk Management is critical to the effective overall management of the Authority; it is essential to good management practice and for successful forward planning. It makes an important contribution to improving performance as being 'risk aware' creates a working environment that supports the achievement of objectives with a greater degree of confidence.
- 9.2. Risk Management can offer cost savings, and reduce service disruption, as well as minimising exposure to negative publicity and costly litigation.

Site:	Seafield House, Redcar
Directorate:	Growth and Enterprise
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/21
Date of Current Version:	June 2026

RIVER TEES PORT HEALTH AUTHORITY

CORPORATE RISK AND OPPORTUNITY REGISTER

Updated by Susan Ziolkowski, Principal Environmental Health Officer
(Commercial)

Impact	RISK						LOW RISK (< 8)	
	Catastrophic	5						MEDIUM RISK (9 – 15)
	Critical	4						HIGH RISK (16+)
	Significant	3						
	Insignificant	2						
	Negligible	1						

Risk Rating Matrix	1	2	3	4	5
	Zero to Very Low	Unlikely	Likely	Very Likely	Almost Certain
	Likelihood				

Responsible Officer Key	
SN	Steve Newton
EG	Erika Grunert
SZ	Susan Ziolkowski
DD	David Dunford

Page 28	DESCRIPTION OF RISK	INITIAL EVALUATION (No controls in place)		RISK RATING Low (L) Medium (M) High (H)	CURRENT CONTROL MEASURES (Existing)	RESIDUAL EVALUATION (After existing controls)		REVISED RISK RATING Low (L) Medium (M) High (H)	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer
		LIKELIHOOD (1-5)	IMPACT (1-5)			LIKELIHOOD (1-5)	IMPACT (1-5)			

RR No	DESCRIPTION OF RISK	INITIAL EVALUATION (No controls in place)		RISK RATING Low (L) Medium (M) High (H)	CURRENT CONTROL MEASURES (Existing)	RESIDUAL EVALUATION (After existing controls)		REVISED RISK RATING Low (L) Medium (M) High (H)	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer
		LIKELIHOOD (1-5)	IMPACT (1-5)			LIKELIHOOD (1-5)	IMPACT (1-5)			
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	INITIAL EVALUATION (No controls in place)		RISK RATING Low (L) Medium (M) High (H)	CURRENT CONTROL MEASURES (Existing)	RESIDUAL EVALUATION (After existing controls)		REVISED RISK RATING Low (L) Medium (M) High (H)	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer
		LIKELIHOOD (1-5)	IMPACT (1-5)			LIKELIHOOD (1-5)	IMPACT (1-5)			
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	H	Statutory appointments of members and effective governance of the Authority. Annual Service Plan reviewed and approved by the joint board. Employment and retention of an adequate number of suitably trained officers.	1	2	L		SN SZ EG SZ

RR No	DESCRIPTION OF RISK	INITIAL EVALUATION (No controls in place)		RISK RATING Low (L) Medium (M) High (H)	CURRENT CONTROL MEASURES (Existing)	RESIDUAL EVALUATION (After existing controls)		REVISED RISK RATING Low (L) Medium (M) High (H)	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer
		LIKELIHOOD (1-5)	IMPACT (1-5)			LIKELIHOOD (1-5)	IMPACT (1-5)			
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	1	L		DD SZ

RR No	DESCRIPTION OF RISK	INITIAL EVALUATION (No controls in place)		RISK RATING Low (L) Medium (M) High (H)	CURRENT CONTROL MEASURES (Existing)	RESIDUAL EVALUATION (After existing controls)		REVISED RISK RATING Low (L) Medium (M) High (H)	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer
		LIKELIHOOD (1-5)	IMPACT (1-5)			LIKELIHOOD (1-5)	IMPACT (1-5)			
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	H	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	L		DD SZ

RR No	DESCRIPTION OF RISK	INITIAL EVALUATION (No controls in place)		RISK RATING Low (L) Medium (M) High (H)	CURRENT CONTROL MEASURES (Existing)	RESIDUAL EVALUATION (After existing controls)		REVISED RISK RATING Low (L) Medium (M) High (H)	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer
		LIKELIHOOD (1-5)	IMPACT (1-5)			LIKELIHOOD (1-5)	IMPACT (1-5)			
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		DD EG

RR No	DESCRIPTION OF RISK	INITIAL EVALUATION (No controls in place)		RISK RATING Low (L) Medium (M) High (H)	CURRENT CONTROL MEASURES (Existing)	RESIDUAL EVALUATION (After existing controls)		REVISED RISK RATING Low (L) Medium (M) High (H)	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer
		LIKELIHOOD (1-5)	IMPACT (1-5)			LIKELIHOOD (1-5)	IMPACT (1-5)			
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	H	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 multi-agency Emergency Preparedness activities. Participation in multi-agency response and recovery activities.	2	2	L		EG SZ

RR No	DESCRIPTION OF RISK	INITIAL EVALUATION (No controls in place)		RISK RATING Low (L) Medium (M) High (H)	CURRENT CONTROL MEASURES (Existing)	RESIDUAL EVALUATION (After existing controls)		REVISED RISK RATING Low (L) Medium (M) High (H)	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer
		LIKELIHOOD (1-5)	IMPACT (1-5)			LIKELIHOOD (1-5)	IMPACT (1-5)			
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	H	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	INITIAL EVALUATION (No controls in place)		RISK RATING Low (L) Medium (M) High (H)	CURRENT CONTROL MEASURES (Existing)	RESIDUAL EVALUATION (After existing controls)		REVISED RISK RATING Low (L) Medium (M) High (H)	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer
		LIKELIHOOD (1-5)	IMPACT (1-5)			LIKELIHOOD (1-5)	IMPACT (1-5)			
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	H	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) High (H)	CURRENT CONTROL MEASURES (Existing)	RESIDUAL EVALUATION (After existing controls)		REVISED RISK RATING Low (L) Medium (M) High (H)	ADDITIONAL CONTROLS REQUIRED (To be implemented)	Responsible Officer
		LIKELIHOOD (1-5)	IMPACT (1-5)			LIKELIHOOD (1-5)	IMPACT (1-5)			
9	Failure to discharge statutory functions assigned by the River Tees Port Health Authority Order in relation to imported food, feed and food contact materials, and including any other function impacted by the UK's negotiations with the EU on a new SPS agreement.	4	4	H	Keeping up to date with current developments in relation to the UK's negotiations with the EU on a new SPS agreement. Attending relevant meetings with Defra, APHA, FSA and any other relevant government bodies to keep up to date with negotiations. Monitoring staff and financial impact as information is provided to the authority.	2	2	L		EG SZ

River Tees Port Health Authority

Enforcement Policy 2026



Public

To:	River Tees Port Health Authority	Date:	12 June 2026
From:	Corporate Director - Growth Enterprise Environment	Decision type:	Committee
Portfolio:	Health, Housing and Welfare	Forward Plan	N/A
Priority:	All priorities	reference:	
Ward(s):	ALL		

1 What is the recommendation?

- 1.1 It is recommended that the River Tees Port Health Authority Enforcement Policy 2026 be approved by members.

2 What part of the Corporate Plan does this report deliver and how, and what options have been considered?

- 2.1 The Authority's Enforcement Policy is reviewed annually and when any significant amendments are required to ensure the effective and lawful operation of River Tees Port Health Authority (RTPHA).

Members are informed that there have only been minor amendments to the policy.

3 Who has been consulted and engaged?

- 3.1 Senior Officers of the Riparian Authorities.

4 What are the risks and resource implications?

- 4.1 Failure to abide by the principles of good enforcement set out in the Regulators' Code (April 2014) which is issued under the Legislative and Regulatory Reform Act 2006, the Code for Crown Prosecutors and the Regulatory Enforcement and Sanctions Act 2008, may prejudice any enforcement action considered or taken by RTPHA.
- 4.2 Failure to gain member approval will lead to the absence of an Enforcement Policy for RTPHA and therefore the absence of a framework upon which to base enforcement decisions.

5 Appendices and further information

- 5.1 Appendix F - River Tees Port Health Authority Enforcement Policy 2026

6 Background papers

6.1 No background papers other than published works were used in writing this report.

7 Contact Officer

7.1 Name: Sue Ziolkowski
Position: Environmental Health Team Manager (Commercial)
Address: River Tees Port Health Authority, Seafeld House.
Kirkleatham Street, RedcarTS10 1RT

Telephone: (01287) 612404

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



River Tees Port Health Authority Enforcement Policy

For approval June 2026

Contents

Introduction	3
1. Enforcement.....	4
2. Principles of Enforcement	4
3. Authorisation of Officers.....	5
4. Offences and Penalties.....	5
5. Primary Authority Scheme	5
6. Investigation with other Agencies.....	5
7. Equality and Diversity.....	6
8. Consultation and Review.....	6
9. Powers of Entry	6
10. Primary Legislation	6
12. Enforcement Options	7
13. Seizure and Detention of Food	10
12. Relevant Guidance	11

Introduction

The Enforcement Policy applies to all the functions of River Tees Port Health Authority (RTPHA) and details the Authority's approach to enforcement in accordance with relevant legislation, statutory codes of practice and other guidance.

RTPHA is constituted by the River Tees Port Health Authority Order 2016 and a joint board of seventeen members from the riparian authorities oversees its functions. These governance arrangements are detailed in the Order and the Authority's constitution.

The functions and responsibilities of RTPHA include the inspection of ships, enforcement of food, feed and environmental protection laws, and the prevention and control of infectious diseases.

Redcar and Cleveland Borough Council (RCBC), manages the port health service on behalf of the other riparian authorities of Stockton-On-Tees Borough Council, Middlesbrough Borough Council and Hartlepool Borough Council.

The port health service operates within the Environmental Health (Commercial) Team of RCBC which is managed by the Environmental Health Team Manager (Commercial).

The policy has been prepared in accordance with relevant legislation and guidance and in particular the Regulators' Code. The Enforcement Policy has received approval from the joint board of RTPHA and will be reviewed annually.

1. Enforcement

- 1.1. Enforcement is defined as including any advice, inspection, action, instruction or warning, caution, prosecution (or other types of court action, for examples a warrant) taken in relation to a person or organisation who is or is believed to be acting unlawfully.
- 1.2. RTPHA will take a graduated approach to enforcement of legislation. All person(s) and companies will be encouraged to understand the nature and extent of their responsibilities and comply voluntarily. The Authority will pursue prosecution where circumstances indicate a significant risk or crime or where formal action is otherwise in the public interest.
- 1.3. In considering whether to initiate enforcement action RTPHA will take account of the following:
 - Code for Crown Prosecutors.
 - Regulators' Code.
 - Police and Criminal Evidence Act 1984 (and associated Code of Practice).
 - Criminal Procedure and Investigations Act 1996 (CPIA).
 - Regulation of Investigatory Powers Act 2000 (RIPA).
 - Regulatory Enforcement and Sanctions Act 2008.
 - Legislative and Regulatory Reform Act 2006.
 - Powers of Entry Code of Practice.
 - Other service specific codes or guidance.

2. Principles of Enforcement

- 2.1. RTPHA will ensure that its approach to regulation is underpinned by the principles of enforcement as follows:
- 2.2. Proportionality in the application of the law and in securing compliance. The Authority will ensure that any action it takes to achieve compliance or bring individuals/companies to account for non-compliance will be proportionate to risks and/or to the seriousness of the breach.
- 2.3. Consistency of approach and application. The Authority will carry out its activities in a fair, equitable and consistent manner. In each case officers will consider a number of variables including:
 - the degree of risk.
 - the attitude and competence of management/business operator/duty holder.
 - the previous history of the business operator/duty holder.
 - the seriousness of the breach.
- 2.4. The Authority will ensure that it has procedures in place to promote and ensure consistency between officers, other authorities and enforcement bodies.
- 2.5. Transparency regarding the operation of the port health service and that those whose activities are regulated by the Authority know what may expect from the Authority.

RTPHA will assist and advise duty holders to understand and fulfil their responsibilities and will provide information on the Authority's role as a regulator.

- 2.6. Individuals or businesses have a right to query or appeal against enforcement action where there are statutory appeal mechanisms. Details of the mechanisms for query or appeal will be provided where appropriate.
- 2.7. Targeting of enforcement action. The Authority will direct its regulatory effort primarily towards those whose activities give rise to the most serious risk or where the risks are less well controlled. Action will be focused on those directly responsible for any breach and who are best placed to control it.

3. Authorisation of Officers

- 3.1. The Authority has a system for delegating authorisation to individual officers. This delegation is contained in the Authority's constitution which is available upon request or online at <http://www.teesporthealth.co.uk/>.
- 3.2. Only officers who are competent by qualification, training and/or experience will be authorised to take enforcement action.

4. Offences and Penalties

- 4.1. The courts will impose appropriate sentence/s upon conviction in accordance with provisions detailed in legislation and sentencing guidelines. The alleged offences and potential penalties will be made clear to prospective defendants throughout the investigation.

5. Primary Authority Scheme

- 5.1. The Authority is committed to the Primary Authority scheme. The Primary Authority scheme gives companies the right to form a statutory partnership with a single local authority, which then provides robust and reliable advice for other authorities to take into account when carrying out inspections or dealing with non-compliance.
- 5.2. When considering enforcement action officers will notify and agree any legal action with the Primary Authority associated with a business (if such a partnership exists) before taking action unless enforcement action is required to deal with an imminent risk. More information on the Primary Authority scheme is available from: [Primary Authority Register \(beis.gov.uk\)](https://beis.gov.uk/primary-authority-register)

6. Investigation with other Agencies

- 6.1. Where an enforcement role is shared with another agency, RTPHA will undertake joint enforcement activity in order to minimise any unnecessary duplication and delay. Joint

working may be undertaken with agencies including local or port health authorities, the Police, HM Revenue and Customs, Border Force or any other relevant agency as appropriate.

7. Equality and Diversity

- 7.1. RTPHA will ensure that decisions are not influenced by the gender, disability, religion or political belief, language, ethnicity or sexual preferences of offenders, victims or witnesses. The Authority will provide translators for interviews where the interviewee's first language is not English and consider the provision of correspondence in other languages. Officers will also carry out visits outside of normal office hours when the business concerned operates at those times.
- 7.2. When dealing with juveniles or people who are vulnerable due to learning difficulties, mental illness or any other factor, due regard will be taken.

8. Consultation and Review

- 8.1. RTPHA will consult and inform its stakeholders of any changes to legislation and the implications of those changes. The Authority will provide the mechanisms for those whose activities are regulated by the Authority to comment on the service they have received and/or the actions taken by the Authority. The Authority will act upon any comments or complaints about the service or the conduct of its officers in an appropriate manner and in accordance with the policies of RTPHA and/or Redcar and Cleveland Borough Council.

9. Powers of Entry

- 9.1. When exercising their statutory powers officers will have regard to the following:
- Police and Criminal Evidence Act 1984 (and associated Code of Practice).
 - Regulation of Investigatory Powers Act 2000 (RIPA).
 - Powers of Entry Code of Practice.
 - Food Law Code of Practice.
 - Feed Law Code of Practice.

10. Primary Legislation

Agriculture Act 1970
Public Health (Control of Disease) Act 1984
Food Safety Act 1990
Environmental Protection Act 1990
International Health Regulations 2005
Official Food and Feed Controls Regulations 2009
Trade in Animals and Related Products Regulations 2011

11. Enforcement Options

Imported food, feed and relevant products	Qualifying Criteria for Option (please note the use of each option will only be considered when one or more of the criteria apply)
No Action	Enforcement action will not be considered where there is no risk to public health from imported food, feed or food contact materials.
Document Check	Document checks will be carried out in accordance with the requirements of legislation relevant to the products being introduced through Tees Port.
Identity Check	Identity checks will be carried out in accordance with the requirements of legislation relevant to the products being introduced through Tees Port. Particular attention shall be given where officers suspect non-compliance is likely. A risk-based approach shall be taken.
Physical Check	Physical checks will be carried out in accordance with the requirements of legislation relevant to the products being introduced through Tees Port. Particular attention shall be given where officers suspect non-compliance is likely. A risk-based approach shall be taken.
Deferred examination	The decision to defer examination will only be made in exceptional circumstances and where RTPHA considers there is a valid reason for deferral.
Detention / Notices	Food and feed that fails to comply with food/feed safety requirements shall be detained pending the outcome of a consultation with the agent/importer. Agreements will then be made on outcome of the consignment, such as special treatment, destruction, re-dispatching to the country of origin, or use for other purposes. Notices shall be served in accordance with the relevant legislation relating to the food or feed imported through Tees Port.
Simple caution	Simple Cautions will be used under the following circumstances: • To deal quickly and simply with less serious offences. • To divert offenders where appropriate from appearing in criminal courts. • To reduce the likelihood of re-offending. • Simply cautions are issued in accordance with government guidance.
Prosecution	Prosecutions will be taken under the following circumstances: • The offence is serious. • There is a poor history of compliance. • There has been a failure to comply with a statutory notice or there has been a repetition of a breach that was subject to a simple caution. • False information has been supplied wilfully, or there has been an intent to deceive, in relation to a matter which gives rise to significant risk. • Officers have been intentionally obstructed in the lawful course of their duties.

RTPHA ENFORCEMENT POLICY 2026

Public Health Controls	Qualifying Criteria for Option (please note the use of each option will only be considered when one or more of the criteria apply)
No Action	Public health enforcement options shall not be considered where there is no risk to public health.
Inspection	Ships not requiring a ship sanitation certificate shall be subject to risk-based inspection and enforcement action taken in accordance with the Food Law Code of Practice, the general enforcement policy, and the International Health Regulations. The service of statutory notices shall be in accordance with the food safety and food standards enforcement policy and in consultation with the Maritime and Coast Guard Agency and the Food Standards Agency.
Ship Sanitation Exemption Certificate	Such certificates shall be issued where conditions on a vessel are compliant with international health regulations.
Ship Sanitation Control Certificate	Such certificates shall be issued where conditions on a vessel are non-compliant with international health regulation.
Referral to MCA	Where a serious risk to health is observed, the Maritime and Coast Guard Agency have powers to detain a vessel, and this power can be delegated to Inspectors following a consultation with one of their officers.

Environmental Controls	Qualifying Criteria for Option (please note the use of each option will only be considered when one or more of the criteria apply)
No Action	Enforcement options shall not be considered where there is no risk to public health from statutory nuisance or prescribed process at the port.
Informal action This may take the form of: • Advice • Verbal warning • Written information Inspection reports	• The act or omission is relatively minor. • From the individual/businesses' past history it can be reasonably expected that informal action will achieve compliance. • Confidence in the individual/business's management practices is high. • The consequence of non-compliance will not pose a significant risk to those affected by the activities of the business.
Formal Action	• Formal action is proportionate to the risk to public health. • There is a record of non-compliance with breaches of legislation enforced by the Authority. The authorised officer has reason to believe that an informal approach will not be successful.
Simple Caution	Simple Cautions will be used under the following circumstances: • To deal quickly and simply with less serious offences. • To divert offenders where appropriate from appearing in criminal courts; and • To reduce the likelihood of re-offending. • Simply cautions are issued in accordance with government guidance.
Prosecution	Prosecutions will be taken under the following circumstances:

RTPHA ENFORCEMENT POLICY 2026

Environmental Controls	Qualifying Criteria for Option (please note the use of each option will only be considered when one or more of the criteria apply)
	• The offence is serious. • There is a poor history of compliance. • There has been a failure to comply with a statutory notice or there has been a repetition of a breach that was subject to a simple caution. • False information has been supplied wilfully, or there has been an intent to deceive, in relation to a matter which gives rise to significant risk. • Officers have been intentionally obstructed in the lawful course of their duties.

Food Hygiene and Standards	Qualifying Criteria for Option (please note the use of each option will only be considered when one or more of the criteria apply)
No Action	Enforcement options shall not be considered where there is no risk to public health from the activities of food businesses operating at the port.
Informal action This may take the form of: • Advice • Verbal warning • Written information Inspection reports	• The act or omission is relatively minor. • From the individual/businesses' past history it can be reasonably expected that informal action will achieve compliance. • Confidence in the individual/business's management practices is high. • The consequence of non-compliance will not pose a significant risk to those affected by the activities of the food business.
Hygiene Improvement Notice	• Formal action is proportionate to the risk to public health. • There is a record of non-compliance with breaches of food hygiene regulations. • The authorised officer has reason to believe that an informal approach will not be successful.
Improvement Notice	• Formal action is proportionate to the risk to public health. • There is a record of non-compliance with breaches of food laws relating the labelling, composition, promotion and advertisement of food. • The authorised officer has reason to believe that an informal approach will not be successful.
Voluntary Closure (food hygiene)	• Closure required to remove an imminent risk of injury to health. • Taken in agreement with the food business operator. • Officer is confident that premises will not reopen without prior consent of the officer.
Hygiene Emergency Prohibition Notice	• There is an imminent risk of injury to health. • Informal voluntary closure is considered inappropriate due to the nature or severity of the health risk conditions. • Immediate action is required to protect public health. • The service of a Hygiene Emergency Prohibition Notice will be followed by an application to the Magistrates court for a Hygiene Emergency Prohibition Order.

Food Hygiene and Standards	Qualifying Criteria for Option (please note the use of each option will only be considered when one or more of the criteria apply)
Emergency Prohibition Notice	• There is an imminent risk of injury to health. • Informal voluntary closure is considered inappropriate due to the nature or severity of the health risk conditions. • Immediate action is required to protect public health. • The service of an Emergency Prohibition Notice will be followed by an application to the Magistrates court for an Emergency Prohibition Order.
Remedial Action/Detention Notices – only applicable to approved premises.	Remedial Action/Detention Notices will be considered if: • There is a breach of the Hygiene Regulations. • An inspection under the Hygiene Regulations has been hampered. • There are indications or suspicions that food at an establishment is unsafe and requires examination. • Immediate action is required to ensure food safety. • Continuing offences require urgent action and corrective actions have been ignored.
Simple Caution	Simple Cautions will be used under the following circumstances: • To deal quickly and simply with less serious offences. • To divert offenders where appropriate from appearing in criminal courts; and • To reduce the likelihood of re-offending. • Simply cautions are issued in accordance with relevant government guidance
Prosecution	Prosecutions will be taken under the following circumstances: • The offence is serious. • There is a poor history of compliance. There has been a failure to comply with a statutory notice or there has been a repetition of a breach that was subject to a simple caution. • False information has been supplied wilfully, or there has been an intent to deceive, in relation to a matter which gives rise to significant risk. • Officers have been intentionally obstructed in the lawful course of their duties.

12. Seizure and Detention of Food

- 12.1. Officers may detain any food they suspect fails to comply with food safety requirements or food that they suspect has not been produced or distributed in accordance with hygiene laws.
- 12.2. The seizure and detention of food will be carried out in accordance with the administrative provisions of Section 9 of the Food Safety Act 1990.
- 12.3. Officers may certify any food that has not been produced, processed or distributed in accordance with the Hygiene Regulations, by use of Regulation 29 of the Food Safety and Hygiene (England) Regulations 2013, and then seize the food by the use of Section 9 of the Food Safety Act 1990.

13. Relevant Guidance

Food Standards Agency Food Law Code of Practice and Practice Guidance.

Food Standards Agency's Inland Enforcement of Imported Feed and Food Controls Resource Pack.

Industry Guides to Good Hygiene Practice.

Food Standards Agency Feed Law Code of Practice and Practice Guidance.

World Health Organisation, Handbook for inspection of ships and issuance of ship sanitation certificates.

Better Regulation Delivery Office, Regulators' Code.

Home Office Powers of Entry Code of Practice.

River Tees Port Health Authority

Sampling Policy 2026



Public

To:	River Tees Port Health Authority	Date:	12 June 2026
From:	Corporate Director - Growth Enterprise Environment	Decision type:	Committee
Portfolio:	Health, Housing and Welfare	Forward Plan	N/A
Priority:	All priorities	reference:	
Ward(s):	ALL		

1 What is the recommendation?

- 1.1 It is recommended that the River Tees Port Health Authority Sampling Policy 2026 is approved by members.

2 What part of the Corporate Plan does this report deliver and how, and what options have been considered?

- 2.1 The Sampling Policy is reviewed annually and when any significant amendments are required to ensure all sampling activities are carried out in accordance with legal requirements.
- 2.2 The policy has had no amendments since the last review.

3 Who has been consulted and engaged?

- 3.1 Senior Officers of the Riparian Authorities.

4 What are the risks and resource implications?

- 4.1 The Sampling Policy is necessary to ensure the effective and lawful delivery of the service.
- 4.2 This policy is supported by the Authority's Service Plan which is produced annually in accordance with the Food Standards Agency Framework Agreement on Local Authority Food and Feed Law Enforcement.

5 Appendices and further information

- 5.1 Appendix G - River Tees Port Health Authority Sampling Policy 2026

6 Background papers

- 6.1 No background papers other than published works were used in writing this report.

7 Contact Officer

- 7.1 Name: Sue Ziolkowski
Position: Environmental Health Team Manager (Commercial)
Address: River Tees Port Health Authority, Seafeld House,
Kirkleatham Street, Redcar TS10 1SP
- Telephone: (01287) 612404
- Email: susan.ziolkowski@redcar-cleveland.gov.uk



Port Health Service

Sampling Policy

2026/27

For approval June 2026

1. Introduction

- 1.1. It is the policy of River Tees Port Health Authority (RTPHA) to carry out sampling of food, feed, water and relevant products to protect public and animal health and to ensure fair trade.
- 1.2. All sampling activities will be carried out in accordance with legal requirements, current guidance and the Authority's standard operating procedures. Officers carrying out the sampling will be authorised in accordance with Quality Management System Procedure QSP/EHC/06 and in line with the delegated powers in the Constitution of RTPHA.
- 1.3. RTPHA will ensure that proper officers are appointed to carry out the examination and analysis of food, feed, water and relevant products.
- 1.4. This policy is supported by the Authority's Service Plan which is produced annually in accordance with the Food Standards Agency Framework Agreement on Local Authority Food and Feed Law Enforcement.

2. Sampling of food, feed and relevant products

- 2.1. All checks are carried out in accordance with assimilated Regulation (EU) 2019/2130 establishing detailed rules on the operations to be carried out during and after documentary checks, identity checks and physical checks on animals and goods subject to official controls at border control posts.
- 2.2. The Official Inspector must verify that the goods are fit to be used for the intended purpose and that their properties have not changed during transport. This can be done by;
 - a) sensory examination of the smell, colour, consistency or taste of the goods; or
 - b) simple physical or chemical tests by cutting, defrosting or cooking the goods; or
 - c) laboratory tests.
- 2.3. Laboratory tests are undertaken where it is not possible to verify the goods are fit for the intended purpose at the BCP.
- 2.4. Philis will randomly select physical checks, however deviations from this may occur as they are determined by:
 - a) Requirements of legislation and associated guidance;
 - b) New legislation;
 - c) Trends identified from previous sampling activities;
 - d) Intelligence and risk – the type of product, country of origin, history of compliance of the importer etc.
 - e) FSA alerts;
 - f) Food Standard Agency priorities; and
 - g) Participation in Local, Regional or National Surveys co-ordinated by UK Health Security Agency (UKHSA), Association of Port Health Authorities or other agencies.

2.5. A sampling plan will be implemented based on the following;

- a. National Monitoring Plan – the national plan is provided by the Food Standards Agency.
- b. Risk based BCP monitoring plan – this is based on local intelligence and National Monitoring priorities.
- c. Under suspicion
 - 1. Intensified Official Controls – for repeated infringements or serious health risk. Where triggered, the first 10 consignments are detained and checked. This will be evident by a banner on IPAFFS.
- d. Safeguard measures.
- e. Required by Legislation.

3. Water Sampling

3.1. RTPHA will take samples of drinking water at the request of shipping agents and the port operator. Samples may also be taken for monitoring purposes. Sampling points will include on-board ship supplies and from designated drinking water supply points located within the port. Although the port is served by a mains water supply, they must have provisions in place to prevent backflow to the system when filling ships.

4. Analysis and Examination

- 4.1. Samples of imported products not of animal origin under official controls, will be formal samples. Samples for analysis will be submitted to the Public/Agricultural Analyst appointed by the Authority and samples for examination will be submitted to the Food Examiner of the UKHSA Laboratory.
- 4.2. Water samples will be informal samples and submitted to the UKHSA Laboratory for examination.
- 4.3. RTPHA will have regard for the opinions of the Food Examiner and Public/Agricultural Analyst for the interpretation of results including all relevant guidance.

5. Resources

- 5.1. All fees charged in relation to food not of animal origin, feed and food contact material sampling is recovered in full from the importer. Samples of Products of Animal Origin are not recoverable, however these are factored in when setting the fees and charges for ID and Physical checks.
- 5.2. All ships water samples are recovered in full from the fees charged to the requester. Where a resample is carried out due to an unsatisfactory sample, we will not charge for any resamples.
- 5.3. All jetty water sampling is carried out using our water analysis allocation by Health Security Agency.

6. Review

- 6.1. This policy will be reviewed on an annual basis and when there are significant changes to legislation, guidance or activities at the port.

Member Report

Financial Outturn Position for 2025/26 and update for 2026/27 financial position

Public

To:	River Tees Port Health Authority	Date:	12 June 2026
From:	Deputy Treasurer	Decision type:	Key - Budget
Portfolio:	Health, Housing and Welfare	Forward Plan reference:	n/a
Outcome:	All priorities		
Ward(s):	All		

1 What are the recommendations?

1.1 It is recommended that Members should:

1. Note the financial performance against budget for 2025/26 and the reasons for the budget variations of the River Tees Port Health Authority (the Authority).
2. Approve the transfer of an underspend of £128,543 achieved in 2025/26, to reserves for carry-forward and use in 2026/27, to help mitigate the continued risks associated with the transition to a Target Operating Model (TOM), expected future legislative changes (planned for 2027) any other unforeseen costs.
3. Approve the unaudited accounts for the River Tees Port Health Authority for 2025/26.
4. Approve the Chair of the Board to sign Section 1, the Annual Governance Statement of the Annual Return, to enable it to be forwarded to PKF Littlejohn LLP by the return deadline of 30 June 2026.
5. Approve the Chair of the Board to sign Section 2, the Accounting Statements of the Annual Return, to enable it to be forwarded to PKF Littlejohn LLP by the return deadline of 30 June 2026.

2 What part of the Corporate Plan does this report deliver, and how and what other options have been considered?

- 2.1 The management of the Authority's budget and its external audit process is critical to the ongoing operations of the Port Health Service. As such no other options are available.

3 What is the purpose of this report?

- 3.1 To present to Members the performance against budget for the River Tees Port Health Authority for the 2025/26 financial year on revenue activities.
- 3.2 To outline the next steps for the accounts for the Authority to be externally audited.

4 What is the background to this report?

- 4.1 At its meeting on 13th December 2024 the Authority approved a balanced 2025/26 budget, which is based on a surplus, to be added to reserves of £21,250 and a £157,650 funding contribution from the Teesside Riparian Authorities. Through 2025/26 Members were updated on improved forecast position with most recent update on 6 March 2026 forecasting a net surplus of £128,543 before funding contributions (£157,650) and distribution agreed earlier in the year (£175,000) due to increased income, partially offset by associated increase in employee and other overhead costs.
- 4.2 Under the Accounts and Audit regulations 2015, the River Tees Port Health Authority is categorised as a small body for final accounts and audit purposes. This means that unlike local authorities, a detailed Statement of Accounts is not required.
- 4.3 The regulations require that an Annual Return covering the income & expenditure and assets & liabilities on revenue-based activities is produced and that this is audited in line with the above regulations.
- 4.4 The annual return for the 2025/26 financial year has been prepared and following sign off at this meeting will sent to the Authority's appointed external auditors– PKF Littlejohn LLP. The summary details for this return are set out in this report, as are the primary financial statements for the Authority, the Income and Expenditure account, and the Balance Sheet. The deadline to return the signed documents to the external auditor is 30 June 2026.

- 4.5 The table below shows a summary of the operating expenditure and income incurred by the Authority, against the budget and forecast presented for the 2025/26 financial year:

	Budget 25/26	Projected Outturn	Year End Actual (Mar 26)	Variance to Budget	Variance to latest Forecast
Expenditure	£	£	£	£	£
Staff Costs	242,350	268,600	254,827	12,477	(13,773)
Other Operating Costs	396,900	445,050	421,691	24,791	(23,359)
Total Expenditure	639,250	713,650	676,518	37,268	(37,132)
Income					
Income including grants	(660,500)	(842,193)	(825,440)	(164,940)	16,753
Net Expenditure/(Income)	(21,250)	(128,543)	(148,922)	(127,672)	(20,379)
Funding					
Middlesbrough BC	23,648	23,648	23,648		
Stockton BC	48,872	48,872	48,872		
Hartlepool BC	3,152	3,152	3,152		
Redcar & Cleveland BC	81,978	81,978	81,978		
Total Funding	157,650	157,650	157,650		
Total Reserves					
Reserves Brought Forward	380,414	380,414	380,414		
(Loss)/Profit for period	21,250	128,543	148,922		
Riparian contributions	157,650	157,650	157,650		
Riparian Distribution	-	(175,000)	(175,000)		
Reserves Carried Forward	559,314	491,607	511,986		

- 4.6 The main variances when compared to budget are as follows:

Employee Costs - overspend of £12,477 – increase reflects additional overtime to support meeting demand of BTOM and supplement to two employees.

Other Operating Costs - overspend of £24,791– this is demand driven, including additional veterinary service provision to cover increase in checks following outbreaks of animal related diseases in the EU and increased computer licence costs (£6k).

Income - £164,940 more than budget primarily as a result of additional product of animal origin income (£159,916 additional) which was largely unknown.

As a result of the above, the net contribution to reserves, after Riparian contributions (£157,650) is £306,572, a £127,672 improvement on budget (budget £178,900), less distribution to Riparian authorities (£175,000) agreed at the December 2025 meeting.

As discussed at the March 26 Board meeting it is recommended that the Authority transfers any improved position versus budget to a reserve which can be monitored and reviewed as the TOM matures, clarity is received and estimated impact calculated regarding the Governments announcement regarding a trade deal with the EU earlier in 2025/26 income and with increased reserves providing a level resilience versus

potential adverse changes.

Further analysis of the 2025/26 final outturn position can be seen in Appendix 1.

- 4.7 The table below shows the Income and Expenditure account for 2025/26, in comparison to the 2024/25 figures.

Income and Expenditure Account	2025/26	2024/25
	(£)	(£)
Staffing Costs	254,827	210,807
Other Operating Costs	421,691	313,835
Total Expenditure	676,518	524,642
Income	(825,440)	(531,284)
Government Grants	-	(8,400)
Net (Income)/Expenditure	(148,922)	(15,041)
Transfer from reserves	-	-
Contribution from Riparian Authorities	(157,650)	(157,650)
Distribution to Riparian Authorities	175,000	
Transfer to reserves (25/26 subject to approval)	(131,572)	(172,691)

- 4.8 The table below shows the Balance Sheet (assets and liabilities) for the River Tees Port Health Authority as at 31st March 2026, including the transfer of unutilised grant and overall underspend.

Balance Sheet	2025/26	2024/25
	£	£
Current Assets:		
Debtors General	3,952	7,034
Cash in Hand	508,035	373,380
Net Current Assets	511,987	380,414
Current Liabilities		
Creditors General	-	-
Net Liabilities	-	-
Net Assets	511,987	380,414
General Reserves	511,987	380,414

- 4.9 The balance sheet can be explained as follows:

Debtors - General – this is income due from third parties in 2025/26 not yet received in cash by the Authority. There is a small decrease in monies due invoiced before the end of the Financial Year.

Cash in Hand – the net value of cash held by the Authority after all assets and liabilities have been considered. This has increased mainly due to increase in scale of operations following implementation of BTOM and building up resilient reserves.

General Reserves – These funds are a contingency buffer to be used against unanticipated fluctuations in both costs and income for the Authority in the future. The reserves have increased based improved outturn position through the year following continued successful implementation of BTOM and will continue to be monitored closely ahead of planned Government trade deal implementation.

4.10 Update for 2026/27

Financial updates relating to 2026/27 will be presented to the Board in September 2026 with any changes to forecast that becomes apparent. An update will be provided when details, and estimated impact of EU trade deal are clearer.

5 Who will this benefit and how?

- 5.1 The production of this financial information will ensure that the Authority will be compliant with the current legislation and proper practices in terms of financial management. As such it will cover the Riparian authorities and all the Tees Valley population in terms of a fit for purpose River Tees Port Health organisation.

6 Who have we consulted?

- 6.1 The report has been prepared in consultation with the Directors of Resources and Public Health for Redcar and Cleveland Borough Council, and the individual port health officers at each of the riparian authorities.

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

- 7.1 Investment in Port Health services has been earmarked as an ongoing priority by the Tees Valley Chief Executives. In addition, the debate on funding levels for local councils has been the driver for improved operational performance and the delivery of a value for money service.

8 What will be the impact on equality and diversity?

- 8.1 There will be no impact on equality and diversity from this report.

9 What will be the impact on our carbon footprint?

- 9.1 There is no impact from this report on our carbon footprint.

10 Are there any legal considerations?

- 10.1 This report is presented under the Accounts and Audit Regulations 2015 where small body organisations are required to prepare an income and expenditure return and to undertake an external assessment of these financial results.
- 10.2 Under current legislation (Local Audit and Accountability Act 2014) it is required that the Authority make the Accounts available for public inspection prior to going forward to external audit.
- 10.3 **13 June – 24 June 2026:** Advert giving notice on the internet (www.teesporthealth.co.uk) informing electors of key dates for exercising their rights to inspect the Accounts.

27 June – 5 August 2026: Accounts made available at Redcar & Cleveland House, Kirkleatham Street, Redcar for inspection by electors of the borough for thirty working days.

30 June 2026: Annual Return and supporting documentation to be submitted to PKF Littlejohn LLP, our external auditors.

11 Appendices and further information

- 11.1 Appendix 1 – Detailed Comparison of 2025/26 budget for RTPHA against the unaudited outturn for the River Tees Port Health Authority for 2025/26.

12 Contact officer

Name: David Dobson
Position: Deputy Treasurer to the River Tees Port Health Authority
Address: Redcar & Cleveland House, Redcar
Email: David.dobson@redcar-cleveland.gov.uk

Appendix 1

	Budget 2025/26	Actual 2025/26	Variance (Actual v Budget)
Basic Pay	189,900	195,197	5,297
NI Contributions	27,300	24,969	- 2,331
Overtime	2,000	7,778	5,778
Superann Contributions	19,900	23,656	3,756
Other Allowances	2,750	2,832	82
Car Allowances	500	395	- 105
	242,350	254,827	12,477
Training Expenses	500	228	- 272
Tools & Equipment Purchase	1,100	467	- 633
Clothing, Uniforms & Laundry	500	71	- 429
Printing & Stationery	100	-	- 100
Photocopier Usage	50	-	- 50
Services - Professional Fees	372,850	394,360	21,510
Subsistence	-	16	16
General Supplies and Services	-	1,396	
Mobile Phones	750	690	- 60
Computer Software	18,550	24,462	5,912
Subscriptions	1,300	-	- 1,300
Public Liability Insurance	1,200	-	- 1,200
	396,900	421,691	24,791
Other Income			
Other Income	-	5,356	5,356
Internal Recharges - Income	-	2,609	2,609
	-	7,964	7,964
Fees - Environmental Health & Pest control			
Product of Animal Origin	553,500	713,416	159,916
Catch Certification	66,950	58,666	- 8,284
Sanitation Certificates	28,350	27,085	- 1,265
High Risk Products Imports	250	3,954	3,704
Organic Certificates	800	750	- 50
RTPHA Permits (annual fee)	700	1,368	668
Plastic Declaration	700	100	- 600
Water Sampling	9,250	12,137	2,887
	660,500	817,476	156,976
Net Expenditure	- 21,250	- 148,922	- 127,672
Other Grants & Contributions - Other Organisations			
RTPHA - Middlesbrough Council	23,648	23,648	-
RTPHA - Stockton Council	48,872	48,872	-
RTPHA - Hartlepool Council	3,152	3,152	-
RTPHA - Redcar & Cleveland Council	81,978	81,978	-
Total Due from Riparian Authorities	157,650	157,650	-
Distribution to Riparian Authorities			
RTPHA - Middlesbrough Council	-	26,250	- 26,250
RTPHA - Stockton Council	-	54,250	- 54,250
RTPHA - Hartlepool Council	-	3,500	- 3,500
RTPHA - Redcar & Cleveland Council	-	91,000	- 91,000
Total distribution to Riparian Authorities	-	175,000	- 175,000
Net	- 178,900	-131,572	47,328

INTERNAL AUDIT REPORT

RIVER TEES PORT HEALTH AUTHORITY 2025/26

Page 125

	Critical	Significant	Moderate	Opportunity
Findings	0	0	0	0
Overall audit opinion	Substantial assurance			

Status: Final

Date Issued: 02 June 2026

Responsible Officer: Director of
 Finance

Agenda Item 16

INTRODUCTION

The River Tees Port Health Authority (RTPHA) is a 'relevant authority' under schedule 2 to the Local Audit and Accountability Act 2014. It represents the four riparian authorities of Redcar and Cleveland Borough Council, Stockton-on-Tees Borough Council, Middlesbrough Council and Hartlepool Borough Council. The Authority is managed by Redcar and Cleveland Borough Council (RCBC).

Under the Local Audit and Accountability Act, smaller authorities in England must complete an Annual Governance and Accountability Return (AGAR) which includes an Annual Governance Statement, Accounting Statements, and an Annual Internal Audit report.

Internal audit is a key component of RTPHA's system of internal control. The purpose of internal audit is to assess whether its systems of internal control and procedures are effective. As part of the AGAR, RCBC's internal auditor (Veritau), acting independently and on the basis of an assessment of risk, carries out assessments of RTPHA's compliance with relevant procedures and the operation of controls during the most recent financial year, requesting appropriate evidence to support conclusions reached.

OBJECTIVES AND SCOPE

The purpose of this audit work was to:

- ▲ form a judgement on the operation and effectiveness the RTPHA's internal control arrangements, prior to the completion of the Annual Governance Statement.

The audit was undertaken during April and May 2026, following the end of the 2025/26 financial year. A separate, signed Annual Internal Audit Report 2025/26 has been completed and shared with the Responsible Financial Officer.

KEY FINDINGS

Overall assessment

We were able to provide a 'Yes' conclusion to all the applicable areas of internal control when providing our assessment on arrangements for the RTPHA for 2025/26.

Maintenance of accounting records

The Annual Audit Report Internal Control Objective A has a requirement that *'Appropriate accounting records have been properly kept throughout the financial year.'* The RTPHA is dependent upon RCBC's effective record keeping. The work undertaken as part of this audit confirms that the proper records had been accurately maintained.

Preparation of accounting statements

The Annual Audit Report Internal Control Objective B has a requirement that *'This authority complied with its financial regulations, payments were supported by invoices, all expenditure was approved, and VAT was appropriately accounted for.'*

The RTPHA has adopted the financial regulations of RCBC. Five payments made during the financial year 2025/26 and were tested. We confirmed that they had been accurately accounted for, and all payments were made in accordance with financial regulations.

Risk management

The Annual Audit Report Internal Control Objective C has a requirement that *'This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.'*

We have confirmed that the RTPHA risk management strategy and corporate risk register have been presented to the Board on a quarterly basis during 2025/26. Board meeting minutes indicate that all significant risks to achieving objectives have been assessed and that adequate management arrangements are in place. We confirmed that the RTPHA has been included under RCBC's self-insurance arrangements and therefore the RTPHA has sufficient insurance cover.

Budget and reserves management

The Annual Audit Report Internal Control Objective D has a requirement that *'The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.'*

The 2025/26 budget was approved by the Board at its 7 March 2025 meeting, under item 61. We confirmed that budget position and forecast are reported to Board members at each RTPHA meeting.

Income

The Annual Audit Report Internal Control Objective E requires that *'Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.'*

Three transactions from 2025/26 were tested. All were confirmed as being fully received, properly recorded, and promptly banked. VAT was properly accounted for in each instance.

Petty cash

The Annual Audit Report Internal Control Objective F requires that *'Petty cash payments were properly supported by receipts; all petty cash expenditure was approved, and VAT appropriately accounted for.'*

It was confirmed that there is no petty cash system in place for the RTPHA.

Payments to employees

The Annual Audit Report Internal Control Objective G requires that *'Salaries to employees and allowances to members were paid in accordance with this authority's approvals, and PAYE and NI requirements were properly applied.'*

One RTPHA salary transaction, from January 2026, was tested as part of this audit. We confirmed the payment was made in accordance with procedures, and that the payroll service had properly applied PAYE and NI.

Asset registration

The Annual Audit Report Internal Control Objective H requires that *'Asset and investments registers were complete and accurate and properly maintained.'*

We confirmed that the RTPHA has no existing fixed assets. The only items that could be deemed as assets were written off to revenue accounts at the time of purchase due to their low value.

Bank reconciliations

The Annual Audit Report Internal Control Objective I requires that *'Periodic bank account reconciliations were properly carried out during the year.'*

It was identified that RCBC bank reconciliations show RTPHA balances separately. The April 2025 to March 2026 period of balance sheet reports were received and reviewed and we confirmed that RCBC's Financial Services team undertakes these reconciliations monthly. The most recent RCBC main accounting system audit, completed in December 2024, concluded that *'A sound system of governance, risk management and control exist, with internal controls operating effectively and being consistently applied to support the achievement of objectives in the area audited'* and provided an opinion of Substantial Assurance.

Accounting statements

The Annual Audit Report Internal Control Objective J requires that *'Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, supported by an adequate audit trail from underlying records and where appropriate debtors and creditors were properly recorded.'*

Accounting statements for budget monitoring throughout the year were prepared from information held on Agresso and were prepared on the correct accounting basis (income and expenditure). Testing undertaken on the latest accounts payable (January 2025), accounts receivable (January 2026) and payroll (December 2025) audits identified no significant failure in record keeping.

Limited assurance review

The Annual Audit Report Internal Control Objective K requires that *'If the authority certified itself as exempt from a limited assurance review in 2025/26, it met the exemption criteria and correctly declared itself exempt.'*

It was confirmed that the RTPHA is exempt from a limited assurance review due to not being a trust fund. This is the same as previous years and has been correctly declared.

Website information

The Annual Audit Report Internal Control Objective L requires that *'The authority published the required information on a website/webpage up to date at the time of the internal audit in accordance with the relevant legislation.'*

We confirmed that, at the time of the audit, the RTPHA website contained all required documents.

Digital and data compliance

Section O requires that *'The authority has complied with laws, regulations & proper practices relating to digital and data compliance.'*

We confirmed that the authority has complied with laws, regulations & proper practices relating to digital and data compliance.

Public rights

The Annual Audit Report Internal Control Objectives M and N require that *'The authority, during the previous year (2024/25) correctly provided for the period for the exercise of public rights as required by the Accounts and Audit Regulations.'* And *'The authority has complied with the publication requirements for 2024/25 AGAR.'*

It was confirmed that the RTPHA does not require a full statement of accounts under small authority status. This was confirmed by the financial position report showing that the RTPHA is classified as a small body for final accounts and audit purposes and is not required to produce a full statement of accounts.

All documents that were expected to be published to meet the requirements of the 2024/25 AGAR were found to be present on the RTPHA website.

OVERALL CONCLUSIONS

A sound system of governance, risk management and control exists, with internal controls operating effectively and being consistently applied to support the achievement of objectives in the area audited. Our overall opinion of the controls within the system at the time of the audit was that they provided Substantial Assurance.

Audit opinions

Audit work is based on sampling transactions to test the operation of systems. It cannot guarantee the elimination of fraud or error. Our opinion is based on the risks we identify at the time of the audit. Our overall audit opinion is based on four grades of opinion, as set out below.

Opinion	Assessment of internal control
Substantial assurance	A sound system of governance, risk management and control exists, with internal controls operating effectively and being consistently applied to support the achievement of objectives in the area audited.
Reasonable assurance	There is a generally sound system of governance, risk management and control in place. Some issues, non-compliance or scope for improvement were identified which may put at risk the achievement of objectives in the area audited.
Limited assurance	Significant gaps, weaknesses or non-compliance were identified. Improvement is required to the system of governance, risk management and control to effectively manage risks to the achievement of objectives in the area audited.
No assurance	Immediate action is required to address fundamental gaps, weaknesses or non-compliance identified. The system of governance, risk management and control is inadequate to effectively manage risks to the achievement of objectives in the area audited.

Finding ratings

Critical	A fundamental system weakness, which presents unacceptable risk to the system objectives and requires urgent attention by management.
Significant	A significant system weakness, whose impact or frequency presents risks to the system objectives, which needs to be addressed by management.
Moderate	The system objectives are not exposed to significant risk, but the issue merits attention by management.
Opportunity	There is an opportunity for improvement in efficiency or outcomes but the system objectives are not exposed to risk.

Where information resulting from audit work is made public or is provided to a third party by the client or by Veritau then this must be done on the understanding that any third party will rely on the information at its own risk. Veritau will not owe a duty of care or assume any responsibility towards anyone other than the client in relation to the information supplied. Equally, no third party may assert any rights or bring any claims against Veritau in connection with the information. Where information is provided to a named third party, the third party will keep the information confidential.