

BORDER CONTROL POST – LONDON PHA

Delegation of Port Health Authority Service to City of London
PUBLIC PROTECTION SERVICE, ODPH



1.0 BACKGROUND

- 1.1 The Border Target Operating Model sets out the Government's new approach to Safety and Security controls (applying to all imports), and Sanitary and Phytosanitary controls (applying to imports of live animals, germinal products, animal products, plants and plant products) at the border. All such imports must come through a designated Border Control Post (BCP).
- 1.2 Plymouth Port Health Authority (part of ODPH) has a designated BCP at Millbay, however there were concerns about operating a resilient service on a full cost recovery basis due to the current low throughput of food freight.
- 1.3 Plymouth Port Health Authority entered into negotiations with London Port Health Authority – City of London to seek a service level agreement (SLA) for London PHA to undertake a regulatory Port Health Authority Service on behalf of Plymouth City Council.
- 1.4 The SLA with The Mayor and Commonalty and Citizens of the City of London as the London Port Health Authority is in Appendix B.

2.0 DELEGATION

- 2.1 In order for London Port Health Authority to undertake the required functions at the Border Control Post, it is necessary to formally delegate the Port Health Authority functions to The Mayor and Commonalty and Citizens of the City of London as the London Port Health Authority under Section 13 and 19 of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000.
- 2.2 This needs to be done by making an amendment to the Leaders Scheme of Delegation.
- 2.3 The proposed wording of the amendment is in Appendix A.
- 2.4 The delegation will remain in place for the duration of the SLA, proposed to be three years.

3.0 FINANCIAL IMPLICATIONS AND RISK

- 3.1 Under this arrangement there will be no costs to either Plymouth or London PHA – there will be a small income from London PHA to cover the local Plymouth PHA work. Plymouth PHA consider this as the best option for Plymouth in the short term, ensuring resilience, competence and good customer service at Plymouth Port in highly unpredictable circumstances.
- 3.2 Most of the food freight currently entering Plymouth will fall into the low and medium risk categories. It is likely that the most frequent freight carriers will benefit from the Trusted Trader scheme (currently in pilot), therefore there will be little demand for officers onsite. However, Plymouth offers a good route to Wales and the west side of England and may be a useful alternative to avoid delays at the short straits. Once the BCP is operational, Plymouth PHA believes that freight traffic will increase, especially if Plymouth offers a smooth, value for money service.

4.0 TIMESCALES

4.1 This arrangement will commence once confirmed by the Leader's Decision and will last for the duration of the SLA, currently proposed to be three years.

APPENDIX A

WORDING FOR AMENDMENT TO LEADERS SCHEME OF DELEGATION

Delegation to The Mayor and Commonalty and Citizens of the City of London as the London Port Health Authority – City of London for Port Health Service

Plymouth City Council has entered into an agreement with **The Mayor and Commonalty and Citizens of the City of London (“London PHA”)** for a regulatory Port Health Authority Service to be delivered by London PHA at Millbay Docks on behalf of the Council to enforce the biosecurity requirements set out in Article 2(1) of the assimilated Official Controls Regulation OCR 2017/625 and other related legislation.

To facilitate this the Leader has delegated to **London PHA** the executive functions and powers calculated to facilitate, incidental to or conducive to the discharge of the functions outlined in the service level agreement on behalf of Plymouth City Council.