

**TYNE PORT HEALTH AUTHORITY  
ANNUAL GENERAL MEETING OF THE JOINT BOARD**

**Tuesday 5 June 2018  
AGENDA**

- 1. Election of Chairman**  
To elect the Chairman of the Joint Board to the Authority.
- 2. Appointment of Vice Chairman**  
To appoint the Vice-Chairman of the Joint Board to the Authority.
- 3. Apologies for Absence**  
To receive apologies for absence from the meeting.
- 4. Declarations of Interest**  
You are invited to declare any personal and/or prejudicial interests in matters appearing on the agenda, and the nature of that interest.  
  
You are also requested to complete the Declarations of Interests card available at the meeting and return it to the Clerk to the Authority before leaving the meeting.
- 5. Appointments to the Joint Board for 2018/19**  
To note the members appointed by the constituent riparian authorities to the Joint Board for the Municipal Year 2018/19.
- 6. Minutes of the last meeting**  
To confirm the minutes of the meeting held on 6 February 2017 and to consider any matters arising.
- 7. Appointments to the Authority for 2018/19**  
To appoint officers to the Authority for the Financial Year.
- 8. Internal Audit Report for 2017/18**  
To receive the internal audit report for the Authority for 2017/18 from the Internal Auditor.
- 9. Annual Governance Statement for 2017/18**  
To consider the governance statement for 2017/18.
- 10. Annual Accounting Statements for 2017/18**  
To receive the accounting statements relating to the financial year 2017/18.
- 11. Annual Review of the Constitution**  
To consider and review the Constitution.

- 12. Calendar of Meetings for 2018/19**  
To set the calendar of meetings for the year.
- 13. Operational Activity Summary Report for the period 1 January 2018 to 31 March 2018**  
To receive the operational activity summary report.
- 14. Any Other Business**

**Tyne Port Health Authority  
Report to the Joint Board  
Date: Tuesday 5 June 2018**

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**Subject:** Appointments to the Joint Board for 2018/19

**Reporting Officer:** Colin MacDonald,  
Clerk to the Authority

**Officer Contact Details:**  
Tel: 0191 643 6620  
Email: [colin.macdonald@northtyneside.gov.uk](mailto:colin.macdonald@northtyneside.gov.uk)

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**PART 1**

**1.1 Purpose:**

The purpose of this report is to note the appointments made by the specified riparian authorities to the Joint Board in accordance with Article 4(1) of the Tyne Port Health Order 2010 and the Constitution of the Authority.

**1.2 Recommendation**

It is recommended that the Joint Board:

- a) Note the appointments made by the specified riparian authorities to the Joint Board for 2018/19.

**2.0 Information**

**2.1 Background**

The Tyne Port Health Authority is constituted under article 2 of the Tyne Port Health Authority Order 2010. It constitutes a joint board, where each riparian authority appoints members to it.

Article 4(1) of the Order states that the specified riparian authorities shall appoint members to the Joint Board at meetings to be held in May each year.

Appointments are set out in **Appendix 1** to this report. Not all appointments had been made for the year at the time of meeting report publication deadlines. An Addendum to Appendix 1 will be provided in advance of the Joint Board meeting once all appointments have been made.

### **3.0 Decision Options**

The Joint Board are requested to note the report.

### **4.0 Appendices:**

Appendix 1 – Appointments to the Joint Board for 2018/19

### **5.0 Contact Officers:**

Colin MacDonald, Clerk to the Authority – Tel 0191 643 6620

### **6.0 Background Information:**

The following background papers have been used in the compilation of this report and are available for inspection at the offices of the author of the report:

Tyne Port Health Authority Order 2010

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **1.0 Finance and Other Resources:**

There are no financial implications directly arising from this report.

### **2.0 Legal**

Each riparian authority specified under the Tyne Port Health Order 2010 need to make their appointments for the Municipal Year to be compliant with the requirements.

**TYNE PORT HEALTH AUTHORITY**

**Appointments to the Joint Board for 2018/19**

<p><b>Members Appointed by Newcastle-upon-Tyne City Council</b></p>	<p><i>To be confirmed</i></p>
<p><b>Members Appointed by Gateshead Metropolitan Borough Council</b></p>	<p>Cllr K Dodds Cllr W Dick Cllr T Graham</p>
<p><b>Members Appointed by North Tyneside Metropolitan Borough Council</b></p>	<p>Cllr B Burdis Cllr Janet Hunter Cllr A Percy</p>
<p><b>Members Appointed by South Tyneside Metropolitan Borough Council</b></p>	<p>Cllr F Cunningham Cllr K Stephenson Cllr A Walsh</p>

## **Tyne Port Health Authority Minutes of the Meeting of the Joint Board**

**At the meeting of the Joint Board of the Tyne Port Health Authority duly convened and held on Tuesday 6 February 2018 at 10am in Quadrant (East), The Silverlink North, Cobalt Business Park, North Tyneside at which a quorum of Members were present, that is to say:-**

### **Present:**

North Tyneside Council:	Councillor B Burdis (Chair) Councillor Janet Hunter Councillor A Percy
South Tyneside Council:	Councillor Ken Stephenson Councillor F Cunningham Councillor A Walsh
Newcastle City Council:	Councillor I Graham
Gateshead Council:	Councillor T Graham Councillor W Dick

### **Officers in Attendance:**

Frances McClen, Chief Port Health Officer  
Colin MacDonald, Clerk to the Authority  
Colin Smith, Senior Port Health Officer  
Richard Gray, Senior Finance Officer, North Tyneside Council

### **JB01/02/2018 Apologies for Absence**

Apologies for absence were received from, Councillor Streater & Councillor Pattison, Newcastle City Council and Councillor Dodds, Gateshead Council

### **JB02/02/2018 Declarations of Interest**

No declarations of interest were received.

### **JB03/02/2018 Minutes of the Last Meeting**

The minutes of the previous meeting held on 3 October 2017 were circulated.

**RESOLVED** that the minutes be taken as read and confirmed.

There was one matter arising from the previous minutes:

#### Annual Return for the year ended 31 March 2017:

The Clerk advised the Joint Board that the External Auditor had withdrawn the issue relating to the inspection period for the exercise of electors' rights.

### **JB04/02/2018 Operational Summary 1 September 2017 – 31 December 2017**

The Chief Port Health Officer presented the report to the Joint Board. It was highlighted that ship arrivals and inspections have remained stable with a slight increase in cruise traffic at the port. 59 ship inspections had taken place during the period and where defects had been identified they were remedied in port.

It was noted that the Food Standards Agency would be conducting an inspection of the Authority on 24 April 2018. The outcome would be reported at a future meeting.

It was highlighted that an emergency planning exercise focussed on rabies plans was undertaken completed in December. It involved officials from the Animal Plant Health Agency (APHA), Public Health England and representative from the Port of Tyne. The APHA highlighted that symptoms of rabies are similar to other diseases such as distemper. The diagnosis of rabies must be confirmed by laboratory analysis sampling and the results would take a minimum of 8 hours. The exercise highlighted the importance of the enforcement of animal health and the use of health and safety legislation for containment. APHA indicated that they would not declare an infected place unless physical proof that animals had rabies and there was a risk to the public. The exercise was designed to test emergency plans for rabies and the lessons learned will form an action plan to address matters arising.

The Joint Board were advised that passenger and cruise ships are currently being encouraged to meet higher hygiene and communicable diseases standards as set out by Ship Sanitation legislation but promoted by a European Joint Action funded Health Programme. As a result, DFDS had increased the frequency of water sampling from monthly microbiological sampling and 6 monthly legionella sampling in accordance to the EU manual for Hygiene Standards and Communicable Disease Surveillance on Passenger Ships. The Authority has agreed to carry out this additional sampling and additional income will be generated as a result.

Following presentation of the report, Members asked questions of the Chief Officer. In response to a question about the number of actual or potential rabies incidents the Clerk advised that the emergency planning exercise was designed to test our response to animal health incidents generally. This was listed as a key risk on the national risk register and there had been incidents of illegal animal importation at the port over the last couple of years which had caused concern. The exercise therefore was a valuable test.

Members enquired about the pet passport system. It was confirmed that when the Port identifies an issue with a passport, this is brought to the attention of the Authority.

Following discussion, Members highlighted their on-going concern about the impact on Brexit and the impact on enforcement standards in protecting the port and our borders generally. It was acknowledged that clarity on this matter is still to emerge.

**Resolved:** to note the report.

### **JB05/02/2018 Association of Port Health Authorities Membership**

The Clerk presented the report and advised that, at the request of the Chair, he had attended the AGM of the Association of Port Health Authorities (APHA) in London as an invited guest.

Members were reminded of the background leading up to this point as set out in the report. The Authority had previously terminated its membership in October 2016 due to concerns about the manner in which APHA was operating and its future viability.

In addition, the Clerk used the opportunity to have discussions with a member of the Overview & Scrutiny Committee. The Clerk established that:

- The O&S Committee had established a Task and Finish Group to formulate an Action Plan to take the Association forward;
- Administration of the Association had changed from Manchester City Council to the London Borough of Medway;
- The governance structure had been streamlined; and
- The Association now had 34 members with a number of other port health authorities expressing an interest to join/rejoin.

The vision and objectives of the Association have been refreshed and these were appended to the report.

There is clear evidence that the Association has made significant changes to the manner in which it runs its affairs and it is a decision for the Joint Board to make as to whether the Authority should rejoin. If it was to rejoin a decision would also need to be taken as to what grade of membership it should take. Previously, as a larger port health authority, the Authority had full corporate membership and indeed it had previously hosted events for the Association in previous years.

Members enquired about the number of authorities that have applied to re-join and sought clarity of the advantages membership. Members were advised that examples of new port authorities joining APHA were listed in the report and clearly dealing with the impacts of Brexit were a key advantage of membership. APHA were for example currently lobbying Ministers on legislative matters relating to Brexit.

The Joint Board discussed the merits of re-joining the Association and if it were to rejoin which level of membership it would take. Members supported the option to rejoin and that full membership should be applied for since it would maximise the influence and participation the Authority could have on APHA.



**Resolved:** Tyne Port Health Authority will apply for Full Corporate Membership

**JB06/02/2018 Budget for 2018 - 2019**

Richard Gray, representing the Responsible Financial Officer for the Authority presented the report and took Members through the proposals for 2018/19, and the key changes from the previous year's budget as outlined.

Members discussed the recent announcement to the City from Capita concerning the financial restructuring of their business following a profits warning. The Clerk advised that the lead Council were naturally monitoring the situation however the situation should not be of concern to the Authority. The lead Council had indemnities in place and, in any event, all staff working for the Authority were seconded to Capita therefore should the contract come to an end, they would simply be brought back to the lead Council who continue to be their employer.

**Resolved:** that (1) the draft budget as presented be approved including the contributions for the financial year 2018/19 from the four riparian authorities, and (2) the Responsible Financial Officer be authorised to call for payment of the contributions.

**JB07/02/2018 Schedule of Fees and Charges for 2018-19**

The Chief Port Health Officer presented the report. Members were advised about the the scope of statutory and non-statutory duties that the Authority undertook and the approach to recovering certain costs.

Appendix 1 of the report set out the proposed schedule of fees and charges for 2018/19. All fees and charges have been calculated on a cost recovery only basis with the exception of ship sanitation certification where proposed fees follow national guidelines, and Common Entry Documents (CEDs) which are in line with nationally adopted charges.

**Resolved:** to (1) approve the Schedule of Fees and Charges in Appendix 1 of the report to take effect from 1 April 2018; and (2) delegate authority to the Chief Port Health Officer to vary any of the fees and charges in line with any recommendations subsequently made by the Association of Port Health Authorities or changes to DEFRA harmonised charges.

**Action:** Chief Port Health Officer

**JB08/02/2018: Draft Service Plan for 2018**

The Chief Port Health Officer presented the draft Service Plan for 2018.

It was highlighted that the Service Plan provided provides a framework for the work of the Authority including; monitoring of ship arrivals and ship inspections (including ship sanitation inspection), monitoring & sampling of ships water supplies, undertaking imported food control and infectious disease control and being able to respond to public health & pollution incidents. In addition, having a Service Plan in place was a requirement of the Food Standards Agency given that the Authority is classified as a food authority.

It was noted that Port of Tyne has had a significant reduction in coal imports handled by the port. The port is improving its docking facilities by completing the extension of the Riverside Quay

Income from Ship Sanitation Inspections has fallen due to the larger vessels and reduced number of arrivals. The Port of Tyne is investing in infrastructure and land use to encourage growth in imports. The port has worked with partners Nissan and NSA to develop and help consolidate car terminal operations, designed to drive and enhance handling efficiencies. The port has handled new cargoes in petroleum coke as well as a variety of agricultural bulk products. Tea and other food imports are unaffected. 35% of raw tea imports come through the Port of Tyne and are now providing a base for exporting tea to Canada. Imported food activity should remain stable. Overall numbers of ship inspections in 2018 should remain stable.

The Port of Tyne saw 2 cruise calls in 2017. It is expected in 2018 that there will be a similar number of cruise calls from 12 cruise lines.

Prompted by questions from Members, a discussion took place about food hygiene enforcement both in relation to protecting passengers and crew and preventing contamination within bulk carrier vessels. Officers advised on controls that are in place and monitoring that takes place.

**Resolved:** that the Service Plan be approved.

#### **JB09/02/2018 Any Other Business**

The Clerk reminded the Joint Board that the bi-annual inspection of the port falls due in September. This is a requirement of the Constitution of the Authority. Members were invited to consider ideas for the visit and consider any speakers that they may wish to hear from. The Chair advised that it may be useful to invite a speaker who has knowledge of the impact of leaving the European Union on Ports.

**Tyne Port Health Authority  
Report to the Joint Board  
Date: Tuesday 5 June 2018**

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**Subject:** Appointments to the Authority for 2018/19

**Reporting Officer:** Colin MacDonald,  
Clerk to the Authority

**Officer Contact Details:**  
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**Email:** [colin.macdonald@northtyneside.gov.uk](mailto:colin.macdonald@northtyneside.gov.uk)

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**PART 1**

**1.1 Purpose:**

The purpose of this report is to outline the appointments that are required to be made by the Authority for the year to ensure the proper discharge of its functions and for the Joint Board to make those appointments.

**1.2 Recommendation**

It is recommended that the Joint Board:

- a) Reappoint North Tyneside Council to act as Lead Authority for the Tyne Port Health Authority;
- b) Reappoint Colin MacDonald, Senior Manager, Technical & Regulatory Services from North Tyneside Council to act as Clerk to the Authority;
- c) Reappoint Frances McClen, Environmental Health Group Leader from North Tyneside Council to act as Chief Port Health Officer and delegate the powers conferred on the Authority by the legislation contained with the Schedule to the Tyne Port Health Authority Order 2010 and all other legislation that assigns statutory duties and powers to a port health authority and to make all necessary appointments of officers on behalf of the Authority;
- d) Reappoint Janice Gillespie, Head of Finance from North Tyneside Council to act as Responsible Finance Officer to the Authority; and
- e) Reappoint Allison Mitchell, Senior Manager, Internal Assurance & Risk Management from North Tyneside Council to act as Internal Auditor to the Authority.

## **2.0 Information**

### **2.1 Background**

The Tyne Port Health Authority is constituted under article 2 of the Tyne Port Health Authority Order 2010. It constitutes a joint board, where each riparian authority appoints members to it.

Article 7 and 8 and the Schedule to the 2010 Order relate to the jurisdiction and powers of the joint board as port health authority. The Order confers upon the port health authority functions under general Acts relating to public health, food and control of pollution.

The Tyne Port Health Authority is a “smaller authority” under The Accounts and Audit Regulations 2015 made under the Local Audit and Accountability Act 2014.

The Joint Board is responsible for the conduct of the Tyne Port Health Authority and is accountable for ensuring both that its business is conducted in accordance with the law and proper standards are maintained.

The Joint Board is advised to make a number of appointments in order to ensure the proper discharge of accountability and that these be revisited annually at the Annual General Meeting.

#### **2.1.1 Appointment of Lead Authority**

At the meeting of the Tyne & Wear Co-ordinating Committee on 14 December 1988 and the meeting of the Joint Board of the Tyne Port Health Authority on 16 December 1988 it was agreed that North Tyneside Council act as Lead Authority for the Tyne Port Health Authority, undertaking the operational role.

North Tyneside Council are willing to continue to act as Lead Authority for the Tyne Port Health Authority.

#### **2.1.2 Appointment of Clerk to the Authority**

Published guidance states that small audited bodies will have a chief executive officer. This is often known as the Clerk. The Clerk is the equivalent of the head of paid service and will advise the body about any actual or potential breaches of the law or any maladministration, and ensure that procedures for recording and reporting key decisions are operating effectively.

The Constitution of the Authority refers to a Clerk to the Authority. The current Clerk to the Authority is Colin MacDonald, Senior Manager, Technical & Regulatory Services from North Tyneside Council. Mr MacDonald is content to continue to perform this role for the Authority.

### 2.1.3 Appointment of Chief Port Health Officer

In order to secure the proper discharge of its functions using the powers conferred upon it by the 2010 Order the Joint Board is advised to appoint a chief operational officer. That officer is known as the Chief Port Health Officer.

It is recommended that the Chief Port Health Officer is given delegated authority from the Joint Board to enforce the legislation contained within the Schedule to the Tyne Port Health Authority Order 2010 and all other legislation that assigns statutory duties and powers to a port health authority and in addition has the delegated authority to make all necessary statutory appointments on behalf of the Authority. This includes the appointment of a 'proper officer' under the Public Health (Control of Diseases) Act 1984, the appointment of a 'medical officer' under the Public Health (Ships) Regulations 1979, as amended, and the appointment of a 'public analyst' under the Food Safety Act 1990.

The current Chief Port Health Officer is Frances McClen, Environmental Health Group Leader from North Tyneside Council. Mrs McClen is content to continue to perform this role for the Authority.

### 2.1.4 Appointment of Responsible Finance Officer

As per 2.1.2 above, in addition to the Clerk, small audited bodies should have a Responsible Finance Officer (RFO). Although the role of Clerk and RFO may be combined, published guidance states that a separation of these to key roles is always desirable.

The current Responsible Finance Officer for the Authority is Janice Gillespie, Head of Finance from North Tyneside Council. Mrs Gillespie is content to continue to perform this role for the Authority.

### 2.1.5 Appointment of Internal Auditor

A small body has an obligation to ensure that it has an internal audit function that acts independently and on the basis of an assessment of risk, carries out a selective assessment of compliance with relevant procedures and controls expected to be in operation during the financial year.

The current Internal Auditor the Authority is Allison Mitchell, Senior Manager, Internal Assurance & Risk Manager from North Tyneside Council. Ms Mitchell is content to continue to perform this role for the Authority.

### **3.0 Decision Options**

The options available to the Joint Board are:

#### Option 1

To make the appointments as outlined in Section 1.2 of this report.

#### Option 2

To propose alternative appointments to those recommended in Section 1.2 of this report.

Option 1 is the recommended option.

### **4.0 Appendices:**

There are no appendices to this report.

### **5.0 Contact Officers:**

Colin MacDonald, Clerk to the Authority – Tel 0191 643 6620  
Stephen Ballantyne, Solicitor, Lawyer Specialist - Governance and Employment – North Tyneside Council – Tel 0191 643 5329

### **6.0 Background Information:**

The following background papers have been used in the compilation of this report and are available for inspection at the offices of the author of the report:

Tyne Port Health Authority Order 2010  
Local Audit and Accountability Act 2014  
The Accounts and Audit Regulations 2015  
Governance and Accountability for Smaller Authorities in England, A Practitioners' Guide to Proper Practices to be applied in the preparation of statutory annual accounts and governance statements, March 2018, Joint Panel on Accountability and Governance.

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **1.0 Finance and Other Resources:**

There are no financial implications arising directly from this report.

### **2.0 Legal**

As a body with corporate identity, the Authority must have in place appropriate governance arrangements which includes appointing the appropriate Officers undertake and maintain the Authorities statutory functions and duties. The proposed appointments are compliant with the requirements of the Tyne Port Health Authority Order 2010 and other relevant statutory provisions.

**Tyne Port Health Authority  
Report to the Joint Board  
Date: Tuesday 5 June 2018**

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**Subject:** Internal Audit Report for 2017/18

**Reporting Officer:** Allison Mitchell  
Internal Auditor to the Authority

**Officer Contact Details:** Tel: 0191 643 5720  
Email: [allison.mitchell@northtyneside.gov.uk](mailto:allison.mitchell@northtyneside.gov.uk)

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**PART 1**

**1.1 Purpose:**

The purpose of this report is to present the Internal Audit Report for 2017/18 to the Authority, and the related declaration required in the Smaller Authorities 'Annual Governance and Accountability Return 2017/18 Part 3'.

**1.2 Recommendation**

It is recommended that the Joint Board:

- a) Notes that the Internal Audit Service of the lead Council to the Tyne Port Health Authority (North Tyneside Council), has undertaken sufficient testing to form an Internal Audit opinion on the control objectives set out in the Annual Internal Audit Report 2017/18 of the Smaller Authorities 'Annual Governance and Accountability Return 2017/18 Part 3';
- b) Notes the resulting conclusions reached, summarised in the Annual Internal Audit Report 2017/18 of the Smaller Authorities 'Annual Governance and Accountability Return 2017/18 Part 3', attached as **Appendix A**; and
- c) Agrees the related Internal Audit Report, which sets out Internal Audit's coverage, findings and recommendations, attached as **Appendix B**.

## **2.0 Information**

### **2.1 Background**

- 2.1.1 At the meeting on Tuesday 6 June 2017, the Tyne Port Health Authority Joint Board reappointed the Internal Audit Service of the lead Council to the Tyne Port Health Authority (North Tyneside Council) as Internal Auditor to the Authority.
- 2.1.2 The Tyne Port Health Authority is required to submit a Smaller Authorities 'Annual Governance and Accountability Return 2017/18 Part 3'. The Annual Return requires an Internal Audit opinion on specific aspects of internal control in place within the Authority.
- 2.1.3 As the Internal Auditor to the Authority, the Internal Audit Service of North Tyneside Council has conducted sufficient internal audit coverage to allow a specific and evidenced opinion to be reached on the internal control objectives specified in the Annual Internal Audit Report 2017/18 of the Smaller Authorities 'Annual Governance and Accountability Return 2017/18 Part 3', and subsequent completion of the Return.
- 2.1.4 The Annual Internal Audit Report 2017/18, together with a short Internal Audit Report supporting the conclusions reached and recorded on the Annual Governance and Accountability Return, are included as appendices to this Report. The audit work performed found that:
- (a) Objectives H and I were not applicable (as Tyne Port Health Authority does not have a separate bank account, or ownership of any fixed assets); and
  - (b) For all other control objectives as set out in the Annual Internal Audit Report 2017/18, these have been achieved throughout 2017/18 to a standard adequate to meet the needs of the body.

### **3.0 Decision Options**

The Joint Board is recommended to agree the outcomes as outlined in Section 1.2 of this report.

This will allow the Tyne Port Health Authority to comply with legislation and prevailing professional standards.

### **4.0 Appendices:**

- 4.1 **Appendix A** –  
Annual Internal Audit Report 2017/18 of the Smaller Authorities 'Annual Governance and Accountability Return 2017/18 Part 3'

**Appendix B** –  
Internal Audit Report, 2017/18

### **5.0 Contact Officers:**

Kevin McDonald, Group Assurance Manager, Internal Audit – Tel: 0191 643 5738  
Colin MacDonald, Clerk to the Authority – Tel 0191 643 6620



## **6.0 Background Information:**

The following background papers have been used in the compilation of this report and are available for inspection at the offices of the author of the report:

Tyne Port Health Authority Order 2010

Local Audit and Accountability Act 2014

Accounts and Audit Regulations 2015

Governance and Accountability for Smaller Authorities in England, A Practitioners' Guide to Proper Practices to be applied in the preparation of statutory annual accounts and governance statements, March 2018, Joint Panel on Accountability and Governance.

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **1.0 Finance and Other Resources:**

There are no direct financial implications relating to this report.

The External Auditor has recommended that a full internal audit should be conducted during the year. Currently, the Authority does not set aside a budget for this and the Joint Board should be mindful that the internal auditor may look to charge a reasonable fee for undertaking this work.

### **2.0 Legal**

Consideration of this report and agreement of the recommendations contained therein will allow the Tyne Port Health Authority to comply with the requirements of the Accounts and Audit Regulations 2015.

# Annual Internal Audit Report 2017/18

## TYNE PORT HEALTH AUTHORITY

This authority's internal auditor, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls to be in operation **during** the financial year ended 31 March 2018.

The internal audit for 2017/18 has been carried out in accordance with this authority's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of this authority.

Internal control objective	Agreed? Please choose one of the following		
	Yes	No*	Not covered**
A. Appropriate accounting records have been properly kept throughout the financial year.	✓		
B. This authority complied with its financial regulations, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C. This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	✓		
D. The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	✓		
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.	✓		
G. Salaries to employees and allowances to members were paid in accordance with this authority's approvals, and PAYE and NI requirements were properly applied.	✓		
H. Asset and investments registers were complete and accurate and properly maintained.	NOT	APPLICABLE*	
I. Periodic and year-end bank account reconciliations were properly carried out.	NOT	APPLICABLE*	
J. 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.	✓		

K. (For local councils only)	Yes	No	Not applicable
Trust funds (including charitable) – The council met its responsibilities as a trustee.			✓

For any other risk areas identified by this authority adequate controls existed (list any other risk areas on separate sheets if needed).

\* PLEASE SEE ATTACHED INTERNAL AUDIT REPORT.

Date(s) internal audit undertaken

Name of person who carried out the internal audit

21/05/18/YY

KEVIN McDONALD NAME OF INTERNAL AUDITOR

Signature of person who carried out the internal audit

*[Handwritten Signature]* REQUIRED

Date 21/05/18

\*If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

\*\*Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, the annual internal audit report must explain why not (add separate sheets if needed).



**North Tyneside Council**

**Internal Audit  
Report**

**Annual Audit of  
Tyne Port Health  
Authority  
2017/2018**

**To: Tyne Port Health Authority Joint Board**

**Copy to: Colin MacDonald, Clerk to the Authority  
Allison Mitchell, Chief Internal Auditor, North Tyneside  
Council**

**Author: Kevin McDonald, Group Assurance Manager, North  
Tyneside Council**

**Date: 21 May 2018**

**1 Background**

1.1 In order to assist in completion of the Smaller Authorities 'Annual Governance and Accountability Return 2017/18 Part 3' for the year ended 31 March 2018, for the Tyne Port Health Authority, an internal audit examination of all relevant documents and records was undertaken during May 2018.

**2 Internal Audit Work**

2.1 The audit covered all designated areas specified within the Annual Governance and Accountability Return (internal control objectives A to J of the Annual Internal Audit Report 2017/18); with the exception of objectives H and I as Tyne Port Health Authority does not have either a separate bank account or the ownership of any fixed assets. A statement confirming these facts was sighted on the audit working paper file.

2.2 The conclusion of the audit was that, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of the body.

**3 Opinion**

- 3.1 The information provided to Internal Audit was sufficient to demonstrate that the control objectives set out in the Annual Internal Audit Report 2017/18 were achieved throughout the financial year to a standard adequate to meet the needs of the body.

**4 Smaller Authorities 'Annual Governance and Accountability Return 2017/18 Part 3'**

- 4.1 The Annual Internal Audit Report 2017/18 of the Smaller Authorities 'Annual Governance and Accountability Return 2017/18 Part 3' has been completed following the internal audit described above.

IA/AHM/KM  
May 2018

## Section 1 – Annual Governance Statement 2017/18

We acknowledge as the members of:

### TYNE PORT HEALTH AUTHORITY

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2018, that:

	Agreed		'Yes' means that this authority:	
	Yes	No*		
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	✓		<i>prepared its accounting statements in accordance with the Accounts and Audit Regulations.</i>	
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓		<i>made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.</i>	
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.	✓		<i>has only done what it has the legal power to do and has complied with Proper Practices in doing so.</i>	
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	✓		<i>during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.</i>	
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓		<i>considered and documented the financial and other risks it faces and dealt with them properly.</i>	
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.	✓		<i>arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.</i>	
7. We took appropriate action on all matters raised in reports from internal and external audit.	✓		<i>responded to matters brought to its attention by internal and external audit.</i>	
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.	✓		<i>disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.</i>	
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	N/A	<i>has met all of its responsibilities where it is a sole managing trustee of a local trust or trusts.</i>

\*Please provide explanations to the external auditor on a separate sheet for each 'No' response. Describe how the authority will address the weaknesses identified.

This Annual Governance Statement is approved by this authority and recorded as minute reference:

MINUTE REFERENCE

dated DD/MM/YY

Signed by the Chairman and Clerk of the meeting where approval is given:

Chairman SIGNATURE REQUIRED

Clerk SIGNATURE REQUIRED

**Other information required by the Transparency Codes** (not part of Annual Governance Statement)  
Authority web address

AUTHORITY WEBSITE ADDRESS



**Tyne Port Health Authority  
Report to the Joint Board  
Date: Tuesday 5 June 2018**

---

**Subject:** Annual Governance Statement for 2017/18

**Reporting Officer:** Colin MacDonald,  
Clerk to the Authority

**Officer Contact Details:**  
**Tel:** 0191 643 6620  
**Email:** [colin.macdonald@northtyneside.gov.uk](mailto:colin.macdonald@northtyneside.gov.uk)

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**PART 1**

**1.1 Purpose**

The purpose of this report is to present the annual governance statement for the financial year 2017/18 to the Joint Board for consideration and seek approval of it for submission to the External Auditor.

**1.2 Recommendation**

It is recommended that the Joint Board:

Note and approve the annual governance statement covering the financial year 2017/18 relating to the Authority as attached in **Appendix 1** to this report for submission to the External Auditor.

**2.0 Information**

**2.1 Background**

2.1.1 The Tyne Port Health Authority is a “smaller authority” under the Accounts and Audit Regulations 2015 made under the Local Audit and Accountability Act 2014 for the purposes of auditing of accounts.

The Authority is responsible for ensuring that its financial management is adequate and effective and that there is a sound system of internal control which facilitates the effective exercise of the Authority’s functions.

Following an annual review of the effectiveness of its system of internal control the body must approve an annual governance statement. This statement is provided for in

Section 1 of the Smaller Authorities in England Annual Return for the year ended 31 March 2018 that is submitted to the External Auditor, attached to this report as **Appendix 1**.

The Clerk to the Authority has completed the annual governance statement. Following the outcome of the recent internal audit report and the previous external audit report all of the statements of assurance have been answered 'Yes'.

### **3.0 Decision Options**

The options available to the Joint Board are:

#### Option 1

To note and approve for submission to the External Auditor the annual governance statement covering the financial year 2017/18 relating to the Authority as attached in **Appendix 1**.

#### Option 2

To note and not approve for submission to the External Auditor the annual governance statement covering the financial year 2017/18 relating to the Authority as attached in **Appendix 1**.

Option 1 is the recommended option. This will allow the Tyne Port Health Authority to comply with The Accounts and Audit Regulations 2015.

### **4.0 Appendices:**

- 4.1 Appendix 1 – Smaller Authorities Annual Return for the Year Ended 31 March 2018, Section 1: Annual Governance Statement.

### **5.0 Contact Officers:**

Colin MacDonald, Clerk to the Authority – Tel 0191 643 6620

### **6.0 Background Information:**

The following background papers have been used in the compilation of this report and are available for inspection at the offices of the author of the report:

Tyne Port Health Authority Order 2010  
Local Audit and Accountability Act 2014  
The Accounts and Audit Regulations 2015  
Governance and Accountability for Smaller Authorities in England, A Practitioners' Guide to Proper Practices to be applied in the preparation of statutory annual accounts and governance statements, March 2018, Joint Panel on Accountability and Governance.



## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **1.0 Finance and Other Resources:**

There are no financial implications arising directly from this report.

### **2.0 Legal**

Consideration of this report and agreement of the recommendations contained therein will allow the Tyne Port Health Authority to comply with the requirements of The Accounts and Audit Regulations 2015.

**Tyne Port Health Authority  
Report to the Joint Board  
Date: Tuesday 5 June 2018**

---

**Subject:** Annual Accounting Statements for 2017/18

**Reporting Officer:** Janice Gillespie,  
Responsible Financial Officer to the Authority

**Officer Contact Details:**  
Tel: 0191 643 5701  
Email: [janice.gillespie@northtyneside.gov.uk](mailto:janice.gillespie@northtyneside.gov.uk)

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**PART 1**

**1.1 Purpose:**

The purpose of this report is to present the accounting statements relating to the financial year 2017/18 to the Joint Board for consideration and seek approval for their submission to the External Auditor.

**1.2 Recommendation**

It is recommended that the Joint Board:

- a) Consider the accounting statements relating to the financial year 2017/18 for the Authority as attached to this report; and
- b) Approve the accounting statements relating to the financial year 2017/18 for the Authority as attached to this report.

**2.0 Information**

**2.1 Background**

The Tyne Port Health Authority is a “smaller authority” under the Accounts and Audit Regulations 2015 made under the Local Audit and Accountability Act 2014 for the purposes of auditing of accounts.

The Authority is required to ensure that its accounting statements are prepared in accordance with the Regulations and the Joint Board needs to consider the accounting statements and approve them for submission to the External Auditor.

The statements must be approved as soon as reasonably practicable after the year end or in any event before 2 July 2018 in order to comply with the Regulations.

The External Auditor has indicated, following agreement with the Clerk, that the Authority submit the annual return and supporting documentation by 11 June 2018.

The completed accounting statements for 2017/18 are attached as **Appendix 1** to this report.

Smaller authorities are required to provide electors with the opportunity to inspect the accounts and other documents for a period of 30 working days which must include the first 10 working days of July. A Notice communicating these rights must be published. Arrangements will be made to publish this Notice following approval of the accounting statements from the Joint Board.

### **3.0 Decision Options**

The options available to the Joint Board are:

#### Option 1

To note the need to complete the accounting statements and to approve them for submission to the External Auditor as attached as **Appendix 1** to this report.

#### Option 2

To note the need to complete the accounting statements and approve them for submission to the External Auditor as attached as **Appendix 1** to this report with amendments.

#### Option 3

To note the need to complete the accounting statements for submission to the External Auditor and instruct officers to undertake further work on them as attached as **Appendix 1** to this report.

Option 1 is the recommended option.

### **4.0 Appendices:**

Appendix 1: Accounting Statements for the Authority for the year ended 31 March 2018.

### **5.0 Contact Officers:**

Janice Gillespie, Responsible Finance Officer to the Authority – Tel 0191 643 5701

Colin MacDonald, Clerk to the Authority – Tel 0191 643 6620

Richard Gray, Senior Accountant – Engie – Tel: 0191 643 7033

Stephen Ballantyne, Solicitor, Lawyer Specialist - Governance and Employment – North Tyneside Council – Tel 0191 643 5329

## **6.0 Background Information:**

The following background papers have been used in the compilation of this report and are available for inspection at the offices of the author of the report:

Tyne Port Health Authority Order 2010

Local Audit and Accountability Act 2014

The Accounts and Audit Regulations 2015

Governance and Accountability for Smaller Authorities in England, A Practitioners' Guide to Proper Practices to be applied in the preparation of statutory annual accounts and governance statements, Joint Panel on Accountability & Governance March 2018

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **1.0 Finance and Other Resources:**

There are no direct financial implications relating to this report.

Late submission to the External Auditor of the accounting statements and information requested by them may lead to additional charges being levied.

### **2.0 Legal**

As a smaller authority, by virtue of The Accounts and Audit Regulations 2015 the Tyne Port Health Authority is required before 2 July 2018 to;

- a) consider the accounting statements by the members meeting as a whole;
- b) approve the statement of accounts by resolution; and
- c) ensure the statement of accounts is signed and dated by the person presiding at the meeting at which that approval is given.

In accordance with the above, the External Auditor has indicated that if the Authority is unable to approve the accounting statements by the required date, a qualified opinion will be issued on completion of the audit since this is a breach of the Regulations.

The Responsible Financial Officer must, on behalf of the Authority, ensure that the exercise of public rights provisions are complied with. The dates proposed as set out in the report comply with the provisions.

## Section 2 – Accounting Statements 2017/18 for

### TYNE PORT HEALTH AUTHORITY

	Year ending		Notes and guidance
	31 March 2017 £	31 March 2018 £	
1. Balances brought forward	128,063	115,380	<i>Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.</i>
2. (+) Precept or Rates and Levies	139,946	150,442	<i>Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.</i>
3. (+) Total other receipts	14,061	13,523	<i>Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.</i>
4. (-) Staff costs	0	0	<i>Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses.</i>
5. (-) Loan interest/capital repayments	0	0	<i>Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).</i>
6. (-) All other payments	166,690	171,820	<i>Total expenditure or payments as recorded in the cash-book less staff costs (line 4) and loan interest/capital repayments (line 5).</i>
7. (=) Balances carried forward	115,380	107,525	<i>Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).</i>
8. Total value of cash and short term investments	115,380	107,525	<i>The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – To agree with bank reconciliation.</i>
9. Total fixed assets plus long term investments and assets	0	0	<i>The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.</i>
10. Total borrowings	0	0	<i>The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).</i>
11. (For Local Councils Only) Disclosure note re Trust funds (including charitable)	Yes	No	<i>The Council acts as sole trustee for and is responsible for managing Trust funds or assets.</i>  <i>N.B. The figures in the accounting statements above do not include any Trust transactions.</i>
		✓	

I certify that for the year ended 31 March 2018 the Accounting Statements in this Annual Governance and Accountability Return present fairly the financial position of this authority and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer

*J. Gillespie*

Date

*22 May 2018*

I confirm that these Accounting Statements were approved by this authority on this date:

DD/MM/YY

and recorded as minute reference:

MINUTE REFERENCE

Signed by Chairman of the meeting where approval of the Accounting Statements is given

SIGNATURE REQUIRED

**TYNE PORT HEALTH AUTHORITY  
REVENUE ACCOUNT 2017/18**

2016/17 Actual £		2017/18 Budget £	2017/18 Actual £	2017/18 Variance £
<b><u>EXPENDITURE</u></b>				
8341.00	Pensions out of Revenue	8,341	7025.51	-1315.49
	Training	0	80.00	80.00
1323.24	Travel and Subsistence	1,120	0.00	-1120.00
611.00	Employers Liability Insurance	620	0.00	-620.00
<b>10275.24</b>	<b>Total Employee Expenditure</b>	<b>10081.00</b>	<b>7105.51</b>	<b>-2975.49</b>
0.00	Transport	0.00	0.00	0.00
3663.66	Supplies and Services	10320.00	6015.47	-4304.53
125725.00	Third Party Payments	129376.00	131133.00	1757.00
780.00	Analysts Fees	1540.00	1320.00	-220.00
25846.00	Administration	25865.00	25846.00	-19.00
400.00	Audit Fees	400.00	400.00	0.00
0.00	Vet Fees	112.00	0.00	-112.00
<b>166689.90</b>	<b>Total Expenditure</b>	<b>177694.00</b>	<b>171819.98</b>	<b>-5874.02</b>
<b><u>INCOME</u></b>				
13777.30	Exemption Certificates and General Charges	13600.00	13123.42	-476.58
0.00	Telephone Income	0.00	0.00	0.00
283.30	Interest	283.00	399.73	116.73
<b>14060.60</b>	<b>Total Income</b>	<b>13883.00</b>	<b>13523.15</b>	<b>-359.85</b>
<b>152629.30</b>	<b>Net Expenditure</b>	<b>163811.00</b>	<b>158296.83</b>	<b>-5514.17</b>
139946.00	Precepts	150442.00	150442.00	0.00
<b>(12,683.30)</b>	<b>Surplus/(Deficit) - For Year</b>	<b>(13,369.00)</b>	<b>(7,854.83)</b>	<b>-5514.17</b>
<b><u>Riparian Authorities Account</u></b>				
128,062.88	Balance Brought Forward	108,204.00	115,379.58	-7175.58
0.00	Riparian Authorities Refunds	0.00	0.00	0.00
<b>(12,683.30)</b>	<b>Surplus / (Deficit)</b>	<b>(13,369.00)</b>	<b>(7,854.83)</b>	<b>-5514.17</b>
<b>115,379.58</b>	<b>Balance Carried Forward</b>	<b>94,835.00</b>	<b>107,524.75</b>	<b>-12689.75</b>

**rgra1912:**  
The variance is attributable to handheld mobile tablets for ship sanitation being at a development stage so no expenditure has been incurred.

I certify that the above Income and Expenditure Account presents fairly the financial position of the Tyne Port Health Authority at the accounting date and its income and expenditure for the year ended 31 March 2018



Chief Finance Officer to The Authority

**TYNE PORT HEALTH AUTHORITY  
BALANCE SHEET AS AT 31 MARCH 2018**

<b>2016/17</b>	<b>2017/18</b>
£	£
<b><u>Current Assets</u></b>	
128,063 Investments	115,380
-12,683 Cash and cash equivalents	-7,855
<u>115,380</u>	<u>107,525</u>
<b><u>Current Liabilities</u></b>	
0 Trade Payables	0
<u>115,380</u> Riparian Authorities	<u>107,525</u>
<u>115,380</u>	<u>107,525</u>

I certify that the above Balance Sheet presents fairly the financial position of the Tyne Port Health Authority as at 31 March 2018



Chief Finance Officer to the Authority



**TYNE PORT HEALTH AUTHORITY  
CERTIFICATE OF ASSURANCE  
AS AT 31<sup>ST</sup> MARCH 2018**

**I hereby certify that:**

**Cash held on behalf of the Tyne Port Health Authority is part of North Tyneside Council's bank account. Reconciliations form part of North Tyneside Council's annual closedown procedures. A separate bank reconciliation for the Tyne Port Health is not performed. I can confirm that the Tyne Port Health Authority had balances totalling £107,525 in the accounts of the North Tyneside Council as at 31<sup>st</sup> March 2018**

**A fixed asset register is not required as the Tyne Port Health Authority do not have any fixed assets.**

**Income and expenditures related to the Tyne Port Health Authority forms part of North Tyneside Council's financial systems. VAT is accounted for and reclaimed as part of normal operating procedures and practices. Income is banked in a timely fashion as per Council policies and practices.**

**Janice Gillespie**

**Chief Finance Officer to the Authority**



# Tyne Port Health Authority Report to the Joint Board Date: Tuesday 5 June 2018

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**Subject:** Annual Review of Constitution

**Reporting Officer:** Colin MacDonald,  
Clerk to the Authority

**Officer Contact Details:**  
Tel: 0191 643 6620  
Email: [colin.macdonald@northtyneside.gov.uk](mailto:colin.macdonald@northtyneside.gov.uk)

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## PART 1

### 1.1 Purpose:

The purpose of this report is to prompt the Joint Board to undertake the annual review of the Constitution for the Authority.

### 1.2 Recommendation

It is recommended that no changes are made to the existing Constitution.

## 2.0 Information

### Background

The Tyne Port Health Authority is a joint board constituted in accordance with the Tyne Port Health Authority Order 2010. The Order, which is appended to the proposed Constitution as **Appendix 1**, provides the core constitutional arrangements for the Authority. The proposed Constitution builds upon and reflects these core arrangements providing a framework for the operation of the meetings of the Authority.

The current Constitution of the Authority was last updated during 2011 and amendments approved by the Joint Board at its meeting in October 2011.

The Constitution was last reviewed at the Annual General Meeting of the Authority in June 2017. The Joint Board did not identify that any changes that were required.

The Clerk to the Authority, in consultation with the Legal Advisor, has reviewed the current Constitution and is of the view that there are no matters arising that would necessitate amendment for the new Municipal Year.

It is therefore recommended that the current Constitution remains unchanged.

### **3.0 Decision Options**

The options available to the Joint Board are:

#### Option 1

Make no amendment to the current Constitution and accept the recommendation set out in section 1.2 of the report; or

#### Option 2

Instruct the Clerk to the Authority to consider proposed amendments to the Constitution.

Option 1 is the recommended option.

### **4.0 Appendices:**

4.1 Appendix 1 – The Constitution of the Tyne Port Health Authority.

### **5.0 Contact Officers:**

5.1 Colin MacDonald, Clerk to the Authority – Tel: 0191 643 6620  
Stephen Ballantyne, Solicitor, Lawyer Specialist - Governance and Employment – North Tyneside Council – Tel 0191 643 5329

### **6.0 Background Information:**

6.1 The following background papers have been used in the compilation of this report and are available for inspection at the offices of the author of the report:

Tyne Port Health Authority Order 2010  
The Constitution of the Tyne Port Health Authority

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **1.0 Finance and Other Resources:**

There are no financial implications directly arising from this report.

### **2.0 Legal**

As a body with corporate identity, the Authority must have in place appropriate governance arrangements including a Constitution that provides guidance and structure to the operation of the Joint Board through its meetings. The proposed Constitution is compliant with the requirements of the Tyne Port Health Authority Order 2010.

# **TYNE PORT HEALTH AUTHORITY**

## **CONSTITUTION**

### **Introduction**

The Tyne Port Health Authority is a joint board constituted in accordance with the Tyne Port Health Authority Order 2010. A copy of the Order is appended to this Constitution.

For the avoidance of doubt, where there is any conflict between the terms of this Constitution and the Order, the terms of Order as a Statutory Instrument shall prevail. A copy of the Order is appended to this Constitution and forms part of the Constitution.

The Tyne Port Health district constitutes the Port of Tyne and parts of the Ports of Blyth and Sunderland as described on the Order.

### **Membership**

1. The Borough Council of Gateshead, the City of Newcastle upon Tyne, the Borough Council of North Tyneside and the Borough Council of South Tyneside shall annually in May appoint three Members each (being elected Members of each Council) as Members of the Tyne Port Health Authority (hereinafter called 'the Authority'). The term of office of a Member appointed to the Authority shall commence on 1 June each year.
- 2.(a) Should any vacancy arise in the Authority the Council in the representation of which such vacancy has occurred shall fill the same and until such vacancy shall be filled the remaining Members shall constitute the Authority and shall have full power to conduct the business of the Authority notwithstanding the vacancy.  
  
(b) Each Member may nominate one person to act as substitute and the person so nominated may attend and vote at any meeting which the appointing Member is unable to attend PROVIDED that the person so nominated shall be subject to the same provisions for qualification for office as Members of the Authority and shall not be entitled to vote at any meeting until notice of the nomination has been given to the Clerk to the Authority.
3. The term of office of each Member of the Authority shall expire at midnight on 31 May each year. Retiring Members shall be entitled to be appointed for a further term.
4. A Member appointed by a Council shall cease to be a Member of the Authority if:
  - (a) The Member resigns there from by notice in writing to the Clerk to the Authority; or
  - (b) The Member ceases to be a Member of the appointing Council; or
  - (c) The appointing Council terminates the appointment.

## Rules of Procedure

5. The Annual Meeting of the Authority shall be held in June each year as soon as possible after the Annual Meetings of the Councils are held.
6. The Authority shall as the first and second items of business at their Annual Meeting elect a Chairman and Vice-Chairman from among their Members and unless the Chairman or the Vice-Chairman:
  - (a) resigns the office; or
  - (b) ceases to be a Member of the Authority; or
  - (c) is disqualified; or
  - (d) does not continue as a Riparian Authority's appointee,

the Members so elected will continue in office until successors are appointed PROVIDED that if there be an equality of votes as to the appointment of Chairman it shall be decided by a casting vote of the Chairman presiding in addition to any other vote they may have.

In the event of the Chairman or Vice Chairman ceasing to hold office before the next Annual Meeting for any of the reasons given above, a replacement Chairman or Vice Chairman (as the case may be) shall be appointed at the next General Meeting and shall hold office in accordance with the terms of this clause.

7. The Authority shall meet at least on two other occasions each year at such times and in such places and may make such arrangements as they may consider necessary for the proper performance of their functions.
8. In each alternate year in addition to the three meetings provided for, the Authority shall hold a separate meeting to undertake an inspection of the port and river.
9. In the event of the Chairman and Vice-Chairman being absent from a meeting the Authority shall elect a Chairman for the meeting from amongst Members present.
10. The ruling of the Chairman as to the interpretation or application of this Constitution, or as to any proceedings of the Authority shall not be challenged. The ruling of the Chairman will be given following such consultation with the Clerk as is necessary.
11. The Clerk will give notice of the time and place of any meeting.
12. At least 5 clear workings days before a meeting, the Clerk will send an Agenda with any relevant Reports to each Member of the Authority.
13. Urgent items of business may only be added to the agenda if the reasons for urgency can be reasonably justified and the approval of the Chairman has been given.
14. The Chairman, or in his/her absence, the Vice Chairman, in conjunction with the Clerk will determine the order of business at a meeting.

15. Each Member shall be entitled to a copy of the Agenda, Reports and Minutes of the proceedings of the Authority.
16. Every matter arising at a meeting of the Authority shall be determined by the majority of the votes of the Members present and voting on the question and in the case of an equality of votes the Chairman of the meeting shall have a casting vote.
17. Any five Members of the Authority shall form a quorum provided that the said five Members shall represent not less than three of the riparian authorities.
18. A Special Meeting of the Authority of which seven days notice shall be given shall be called by the Clerk to the Authority at any time on the request of the Chairman or upon receipt of a requisition in writing signed by two Members. The notice convening the meeting shall specify the business to be transacted at such a meeting and no business shall be considered thereat other than that specified in the notice save that the Chairman may convene a meeting at shorter notice if he considers that any matter to be discussed is of sufficient urgency to justify doing so.
19. Any Council may not less than ten days before the date of a meeting of the Authority send to the Clerk to the Authority a statement of any matter which it wishes to be considered by the Authority.
20. Any question may be raised at a meeting of the Authority on a motion of urgency although not on the Agenda provided that the majority of those present consent.

### Minutes

21. A Minute Book shall be provided and a record kept of all transactions at meetings of the Authority duly recorded therein and copies of the Minutes of such meetings shall be sent to the Chief Executive of each riparian authority and to each Member of the Authority within twenty one days after the date of the meeting.

### Policies and Procedures

22. The Authority adopts and shall operate, as expedient and necessary, the relevant administrative and operational policies and procedures of the agreed lead Council providing support to the Authority.

### Amendment/Alteration of Constitution

23. The Constitution of the Authority may be altered at any meeting or any Special Meeting called for that purpose provided that such alteration is approved by at least one Member from each riparian authority. Notice of any proposed alteration must be given to the Clerk to the Authority at least twenty one days before the meeting and a copy must be sent by him to each Member of the Authority and to the Chief Executive of each riparian authority not less than Fourteen days before the meeting.

Approved by the Joint Board of the Authority on: 4<sup>th</sup> October 2011

**Tyne Port Health Authority  
Report to the Joint Board  
Date: Tuesday 5 June 2018**

---

**Subject:** Calendar of Meetings for 2018/19

**Reporting Officer:** Colin MacDonald,  
Clerk to the Authority

**Officer Contact Details:**  
**Tel:** 0191 643 6620  
**Email:** [colin.macdonald@northtyneside.gov.uk](mailto:colin.macdonald@northtyneside.gov.uk)

---

**PART 1**

**1.1 Purpose:**

The purpose of this report is set the calendar of meetings for the Joint Board for 2018/19.

**1.2 Recommendation**

It is recommended that the Joint Board:

a) Note the requirements for it to meet as prescribed by the Tyne Port Health Order 2010; and

b) Approve the following meeting dates for the Joint Board:

Tuesday 2 October 2018 at 10am  
Tuesday 5 February 2019 at 10am  
Tuesday 4 June 2019 at 10am

with all meetings to be held at the offices of North Tyneside Council, Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside NE27 0BY; and

c) Approve the date for the inspection of the river and port of Tuesday 11 September 2018 at 10am.

## **2.0 Information**

### **Background**

The Tyne Port Health Authority is constituted under article 2 of the Tyne Port Health Authority Order 2010. It constitutes the Joint Board and there is a requirement for it to meet not less than three times in each year beginning 1 June.

The Constitution reinforces this in the Rules of Procedure.

In recent years the Joint Board has met at the Quadrant Building at Cobalt Business Park, North Tyneside.

In addition to the three meetings required to ensure the proper performance of its functions in each alternate year the Authority is also required to hold a separate meeting to undertake an inspection of the port and river. The last inspection fell due during 2016 and therefore it is due to take place again in 2018. It is proposed that the inspection takes place at 10am on Tuesday 11 September 2016.

## **3.0 Decision Options**

The options available to the Joint Board are:

### Option 1

To note the requirements of the Joint Board to meet and approve the calendar of meetings along with the venue as set out in Section 1.2 of the report.

### Option 2

To note the requirements of the Joint Board to meet and approve an amended calendar of meetings and/or venue to that set out in Section 1.2 of the report.

Option 1 is the recommended option.

## **4.0 Appendices:**

4.1 There are no appendices to this report.

## **5.0 Contact Officers:**

5.1 Colin MacDonald, Clerk to the Authority – Tel 0191 643 6620



## **6.0 Background Information:**

6.1 The following background papers have been used in the compilation of this report and are available for inspection at the offices of the author of the report:

Tyne Port Health Authority Order 2010  
The Constitution of the Tyne Port Health Authority

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **1.0 Finance and Other Resources:**

There are no direct financial implications arising from this report.

### **2.0 Legal**

The Tyne Port Health Authority Order 2010 sets out requirements for the minimum frequency of meetings for the Joint Board. The proposal is compliant with those requirements.

**Tyne Port Health Authority  
Report to the Joint Board  
Date: Tuesday 5 June 2018**

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**Reporting Officer:** Frances McClen  
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**Subject:** Operational Summary for the period  
1 January - 30 April 2018

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**PART 1**

**1.1 Purpose:**

The purpose of this report is to inform the Joint Board of activity during the period 1 January to 30 April 2018.

**1.2 Recommendation**

It is recommended that the Joint Board note the report.

**2.0 Information**

**2.1 Operational Summary**

Ship Arrivals and Inspections

Cargo ship arrivals and cruise traffic at the port remains stable and a breakdown of shipping trends over the last 10 years is set out in **Appendix 1**.

The Port of Tyne had 1312 arrivals between January to December 2017.

Shipping is inspected either on request (usually due to impending expiry of ship sanitation certification) or in accordance with the Authority's policy of prioritising inspections using a risk based approach as set out in the Annual Service Plan.

Inspection activity for the period January to April 2018 is set out in the tables below.

### Ship Sanitation Inspections January to April 2018

<b>Inspections</b>	<b>Ship Sanitation Control Exemption Certificates issued</b>	<b>Ship Sanitation Control Certificates issued</b>
14 (8)	14(8)	0 (0)

\* figures for the period Jan to April 2017 the previous year shown in brackets.

I have amended the table to view over a 4 month rather than 3 month period as previously reported in last year's report to ensure the full year's activities are reported to the board. It was found that Olympic Ares required an evidence report form to be placed on the ship sanitation certificate to advise of actions the vessel was required to carry out. The vessel was advised to improve its food safety management system. The vessel had poor logging of temperature monitoring and cleaning schedules. The use of a control certificate would only be used in extreme cases such as incidents of food poisoning, illness on board and severe pest infestation.

If there were welfare issues it would be necessary to contact the Marine Coastguard Agency who can detain vessel until compliant.

### Other Inspection of Ships – Routine Boardings Period January to April 2018

A revisit Inspection was carried out on request of Liverpool Port Health Authority who had issued a ship sanitation control certificate on Sea Iris due to the failure of the vessel to carry out microbiological and legionella water sampling over the last 2 years. Controls on vessels can lead to issues at some international ports with regard to fines. The water sampling tests from the Sea Iris were found to be acceptable

Routine boardings were carried on vessels new to the port to check compliance with ship sanitation certificates and to ensure appropriate welfare issues were in place.

	<b>Arrivals</b>	<b>Inspections</b>	<b>Major Defects found</b>	<b>Minor Defects found</b>	<b>Revisits/Referrals</b>
<b>Total*</b>	507(324)	58(48)	0 (0)	10 (10)	3(1)

\* figures for the period January to April 2017 the previous year shown in brackets.

### Water Supply

37 Samples of drinking water were taken from 14 vessels and 5 hydrants for bacteriological analysis by the Health Protection Agency laboratories.

	<b>Vessels sampled</b>	<b>Total samples from vessels</b>	<b>Hydrants sampled</b>	<b>Satisfactory</b>	<b>Unsatisfactory</b>
<b>Total*</b>	29(14)	98(32)	7(5)	77(34)	28(3)

\* figures for the same period the previous year shown in brackets.

There were 28 unsatisfactory samples taken during the period which required retesting. This led to advisory information to vessels on water management. For instance in a number of vessels the presence of legionella was found on the decks from shower heads and now carry out more frequency flushing of showers with hot water. Retesting has shown that this has cleared the problem

Imported Food

Tea is the main importation of food over the last 4 months which required official controls. All products imported into the UK must comply with European Union (EU) law on contaminants, to protect public health. Tea from China has been highlighted to be high risk for pesticides and checks are required based on EU guidance.

Official controls, which involves documentary checks and 10% sampling, is carried out on all third country imports of certain specified foods and plastics entering the port. Documentary checks were also made on other foods passing through the port; mainly prawns; to ensure that official controls at the border inspection point had been completed and that goods were accompanied with appropriate common veterinary entry documents.

**Summary of official controls on imported food and plastics January to April 2018**

	<b>Number of Consignments</b>	<b>Document Checks</b>	<b>ID Checks</b>	<b>Samples Physical Checks</b>	<b>Satisfactory</b>	<b>Unsatisfactory</b>
<b>Tea from China (669)</b>	8(6)	8(6)	1(1)	1(1)	8(6)	0(0)
<b>Other Tea</b>	0(0)	0(0)	0(6)	0(0)	0(0)	0(0)
<b>Organic Tea</b>	0(4)	0(4)	0(0)	0(0)	0(4)	0(0)
<b>Other Food</b>	16(0)	16(0)	(0)	0(0)	0(0)	0(0)
<b>Plastics</b>	0(1)	0(0)	0(0)	0(0)	0(0)	0(0)

\* figures for the same period Jan to April the previous year shown in brackets.

Infectious Disease

There have been no notifications of Norovirus or food poisoning between January to April this year. Proactive microbiological sampling, boarding and ship sanitation inspection review the hygiene practices of vessels. Cleaning practices are checked to ensure appropriate two stage disinfection process of services and spot checks for prevention of cross contamination.

## Income from official controls and other chargeable activity

### Table showing Income from January to April 2018

Ship Sanitation Inspection	Food & Plastics Imports - Official Controls /Water Sampling Requests	Total
£4044 (£2545)	£2205.88 (£2463)	£6260.88 (£5008.50)

\* figures for the same period the previous year shown in brackets.

The table of charges for 2018/19 are shown in Appendix 2 and contain the revised ship sanitation charges in line with the Association of Port Health Authorities charges.

## Other Activity

### Food Standards Audit on Imported Food Controls

The Food Standards Agency (FSA) have carried out a review of the imported food procedures and sampling methodology. They were satisfied with the procedures in place for the regulation and inspection of food not of animal origin. The Port of Tyne are authorised as a designated point of entry for ambient foods only.

The FSA considered the Authority had good standards and controls for tea from China. Officers were able to demonstrate that good documentary, physical and sampling procedures were in place to meet the EC669/2009 Regulations

A recommendation was made that as sampling has concentrated on pesticides in tea that consideration is given to written procedures for other EC669 sampling that may arise such as aflatoxins from nuts. Currently advice for sampling would be obtained from the public analyst. Additional procedure notes to direct officers to appropriate guidance is currently being produced.

## **Decision Options**

This is an information only report.

## **4.0 Appendices:**

Appendix 1 – Shipping trends at the Port of Tyne  
Appendix 2 – Table of Charges

## **5.0 Contact Officers:**

Frances McClen, Chief Port Health Officer – Tel: 0191 643 6640

**6.0 Background Information:**

There are no background papers to this report.

**PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

**1.0 Finance and Other Resources:**

There are no direct financial implications arising from this report.

**2.0 Legal:**

There are no direct legal implications arising from this report.

## SHIPPING TRENDS SINCE YEAR 2006

YEAR	ARRIVALS	INSPECTIONS	DEFECTS
2006	2048	316	24
2007	1940	303	30
2008	1772	310	52
2009	1479	195	24
2010	1669	269	13
2011	1928	284	17
2012	1850	357	22
2013	1548	234	2
2014	1466	233	10
2015	1381	203	97
2016	1621	210	56
2017	1312	195	20

## CRUISE SHIP ARRIVALS

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
19	23	29	23	20	38	33	31	31	36	48	51

## Tyne Port Health Authority

### Schedule of Fees and Charges for 2018/19

The Tyne Port Health Authority has set the following charging scheme with effect from the 1 April 2018.

Fees are calculated on a cost recovery basis and also take account of national guidance. Where the cost of sampling and analysis is known this has been shown below, however, for many products the cost of the sample varies depending on size and the nature of the analysis.

#### Ship Inspection Charges – for Ship Sanitation Control Certificates

The Tyne Port Health Authority has adopted the table of charges set by the Association of Port Health Authorities for Ship Sanitation Control Certificates and Ship Sanitation Control Exemption Certificates and the APHA at meeting on the 4 January 2018 set charges below effective from the 1<sup>st</sup> April 2018.

#### **SHIP INSPECTION CHARGES – 2018/19**

<b>Gross Tonnage</b>	<b>Charge</b>
Up to 1,000	£90
1,0001 to 3,000	£125
3,001 – 10,000	£190
10,001 – 20,000	£245
20,001 – 30,000	£320
Over 30,000	£375
Vessels with the capacity to carry between 50 and 1,000 persons	£375
Vessels with the capacity to carry more than 1,000 persons	£640
Extensions	£60

The table of charges does not include extra charges which may be applied for additional costs incurred by the Authority such as launch hire or sampling and analytical fees.

#### Water Sampling

There is no charge for water samples taken as part of official controls including ship sanitation inspection or as part of routine water quality monitoring.

Water sampling carried out on request will be subject to the following charges

Water Sample	Pro rata £30 per hour* plus analysts fees where applicable**
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\*includes travel time to and from courier dispatch point.

\*\*analyst fees are not always incurred and will vary depending on type of analysis requested.



## Plastic Kitchenware

The following charges will apply to consignments subject to official controls, that is, imports of polyamide and melamine kitchenware falling within CN code 3924 10 00 originating or consigned from China or Hong Kong.

Check, Countersign and Issue of Common Entry Document (CED)	£50.00*
Formal Sample (10%)	Pro rata £30 per hour** plus analysts fees***

\*discount will be applied to multiple CEDs in a single consignment.

\*\*excludes any port handling fees charged direct by Port of Tyne.

\*\*\*analysts fees currently approx £420.

## Organic Certificates

Charges for certification of organic food imports under the provisions of Council Regulation (EC) No 834/2007 are set by DEFRA and are currently set at a flat rate of £45 per certificate.

## Catch Certificates

**Catch certificates are provided for by legislation controlling Illegal, Unregulated and Unreported Fishing, Council Regulation (EC) No 1005/2008.**

Catch certificates are subject to a charge of £22.50 each.

A discount will be applied to multiple catch certificates in a single consignment

## Imported Food Sampling

The following charges will apply to consignments of imported food subject to an enhanced level of official controls (under Commission Regulation 669/2009)

Check, Countersign and Issue of CED	£46.00*
Formal Sample (10%)	Pro rata £30.00 per hour** plus analysts fees***

\*discount will be applied to multiple CEDs in a single consignment

\*\*excludes any port handling fees charged direct by Port of Tyne

\*\*\*analysts fees will vary depending on type of analysis