

MARKETS COMMITTEE

Wednesday, 22 July 2015

Minutes of the meeting of the Markets Committee held at the Guildhall EC2 at 11.30 am

Present

Members:

John Scott (Chairman)	Ann Holmes
James Tumbridge (Deputy Chairman)	Edward Lord
Deputy John Barker	Professor John Lumley
Nicholas Bensted-Smith	Alderman Julian Malins
Deputy John Chapman	Deputy Robert Merrett
Alderman John Garbutt	Deputy Joyce Nash
Deputy Stanley Ginsburg	Graham Packham
Tom Hoffman	Patrick Streeter
Michael Hudson	

Officers:

Sid Brewer	Acting Superintendent of Spitalfields Market
Steven Chandler	City Surveyor's Department
Andrew Crafter	City Surveyor's Department
Paul Hickson	Comptroller and City Solicitor's Department
Debbie Howard	Chamberlain's Department
Malcolm Macleod	Superintendent, Billingsgate Market
David Smith	Director, Markets and Consumer Protection
Julie Smith	Chamberlain's Department
Julie Zhu	Public Relations Office
Julie Gibbs	Markets and Consumer Protection Department
Donald Perry	Markets and Consumer Protection Department
Gemma Stokley	Town Clerk's Department
Peter Young	City Surveyor's Department
Scott Morgan	Town Clerk's Department
Huw Rhys Lewis	City Surveyor's Department
Paul Spooner	Operations and Administration Manager, Smithfield Market

In Attendance:

Billy Dove	Chief Commoner
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The Chairman welcomed Alderman Garbutt, Sid Brewer (Acting Superintendent, Spitalfields Market) and Scott Morgan (Graduate Trainee, Town Clerk's Department) to their first meeting of the Markets Committee.

1. **APOLOGIES**

Apologies for absence were received from Alex Bain-Stewart, Christopher Boden, Karina Dostalova, Deputy Jamie Ingham Clark, Wendy Mead, Chris Punter, Elizabeth Rogula, Ian Seaton, Deputy Dr Giles Shilson, Angela Starling, David Thompson and Mark Wheatley.

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

There were no declarations specific to items on this agenda. However, the Chairman, Tom Hoffman and Alderman Malins took the opportunity to make standing non-pecuniary declarations all in respect of the Museum of London, by virtue of them being members of that organisation's Board.

3. **PUBLIC MINUTES**

The public minutes of the meeting held on 13 May 2015 were considered and approved as a correct record.

MATTERS ARISING

Visitors to Billingsgate Market (page 3) – The Chairman reported that the Lord Mayor's visit to Billingsgate Market had taken place early in June and that the Market had received many letters of thanks and appreciation in relation to this. He went on to report that the House of Lords' EU Agriculture, Fisheries and Environment Sub Committee had visited the Market yesterday and that the Deputy Mayor of London was also planning a visit in Autumn.

Markets Business Plan 2015-2018 (page 3) – A Member referred back to his query raised at the last Committee meeting as to why the figure for income in 2015/16 was lower than the forecast outturn for 2014/15 in the report put to Members. The Director apologised for the delay in responding directly to the Member on this query and undertook to provide him with full details on this matter following the meeting.

4. **REVENUE OUTTURN 2014/15**

The Committee received a joint report of the Chamberlain and the Director of Markets and Consumer Protection comparing the 2014/15 revenue outturn for the services overseen by the Markets Committee with the final budget for the year.

Members questioned why only the latest agreed budget and final budget were shown in the report as they recalled that the Committee had previously requested to see the original approved budget featured. The Chamberlain responded by stating that Members had seen fuller details in reports submitted to the Committee in both November and January and that this report was therefore intended to compare any further changes. The Chamberlain went on to state that if the Committee wanted to see details of the original budget presented each time then this could be arranged going forwards. The Chamberlain tabled an additional paper which also detailed the original approved budget.

A Member questioned the proposed carry forward of £147,000 for a second consecutive year due to “delays in procurement and City Surveyor resources” and whether or not this was a systemic problem given that the same reason had been cited at other Committees. The City Surveyor responded by explaining that his Department’s workload for minor works often fluctuated from year to year and explained that it wasn’t unusual for unplanned factors to arise and cause timetables to slip. He reported that all works were carried out in conjunction with the relevant Departments/Committees who were also tasked with prioritising some works ahead of others. Finally, Members were informed that, whilst there had recently been a relatively high turnover of staff within this Department, resources were not an issue.

In response to a question regarding the Satellite Unit, the Superintendent of Billingsgate Market reported that there would be no actual savings arising from this as the reduced fees quoted were due to timing issues. The costs relating to this would now be met in the current financial year. In response to a further question, the Superintendent confirmed that the professional fees referred to were in relation to the letting of the unit and to a re-refrigeration ‘proving’ exercise undertaken by external consultants.

A Member stated that the general presentation of the Corporation’s accounts had been discussed for many years now and that many Members were strongly of the view that accounts for commercial activities should be presented in conventional format to show expenditure deducted from income i.e. expenditure in brackets, rather than income.

The Chamberlain reported that the accounts were presented as public sector accounts across the board. She stated that she would, however, raise Members’ concerns with the new Chamberlain and seek his views as to the future presentation of the Corporation’s commercial activities.

The Committee requested that the minute for this item be sent to the Finance Committee so as to make them aware of Members’ concerns around the presentation of accounts.

RESOLVED: That the revenue outturn report for 2014/15 and the proposed carry forward of under spending to 2015/16 are noted and that, in future reports, the original approved budget always be featured.

5. **ENFORCEMENT ACTIVITY AT SMITHFIELD MARKET**

The Committee received a report of the Director of Markets and Consumer Protection advising Members of Enforcement Activity carried out by the Smithfield Enforcement Team during the four month period 1 February 2015 to 31 May 2015.

In response to a question regarding the Animal By-Products contraventions referred to within the report, the Director reported that these were all actions for the Food Standards Agency as enforcing authority.

RECEIVED.

6. **FARMERS' MARKET - ST BARTHOLOMEW'S HOSPITAL**

The Committee received a report of the Director of Markets and Consumer Protection relative to the operation of a potential weekly farmers' market in the grounds of St Bartholomew's Hospital, West Smithfield.

The Chairman expressed his disappointment that the Smithfield Market Tenants Association (SMTA) had not been consulted on this proposal sooner but reported that the Director had now undertaken to commence discussions with them. The Chairman went on to state that he hoped the SMTA would not object to this given the limited trading hours and small amounts of produce proposed.

A Member commented that he was unhappy with this proposal as it did concern the sale of meat and commented that he would be keen to know the SMTA's views on this particular point.

Another Member stated that, if the proposal were to be agreed, it should be made clear to the applicant that this would only be for one day per week and for the limited trading hours originally proposed. He went on to clarify that, in his view, the applicant should not be encouraged to subsequently apply for longer trading hours or additional days if the Market were to prove successful.

The Chairman stated that he hoped that a mutually acceptable way forward could be agreed upon so that the Farmers Market could progress in some form in the near future.

RECEIVED.

7. **SMITHFIELD MARKET - CONDENSER WATER COOLING SYSTEM - UPDATE**

The Committee received a report of the City Surveyor providing Members with an update on the Smithfield Market condenser water cooling system since the last report to Markets Committee in May 2015.

The Chairman reported that the cooling system had been operating satisfactorily since the last report was considered by this Committee, despite the hot weather experience for the past month.

It was agreed that reports on the system would now only be submitted if there were any issues to report and that this would therefore no longer be a standing item on the agenda.

RECEIVED.

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

There were no questions.

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

Red Risks

Members were informed that there were two remaining red risks for Markets concerning forklift trucks and workplace traffic management at Spitalfields Market and HGV unloading at Smithfield.

With regard to workplace traffic management at Spitalfields, the Committee were informed that there is a short, medium and long term plan in place at the Market in order to reduce the risk from forklift trucks. The market had also retained the services of a consultancy on this matter but the issue had not yet been significantly mitigated at this stage to reduce the risk from 'red'.

In relation to HGV unloading at Smithfield Market, Members were informed that the majority of engineering works recommended in a report by the City's Safety Manager had been completed but were not yet being used by tenants' staff. The Freight Transport Association (FTA) had carried out a survey of traffic movements around the market and had provided some initial recommendations to officers. Once the full report was available, the findings would be shared with the Tenants' Association.

Oracle Briefing

The Chairman referred to the written briefing that the Chamberlain had sent to all Members of the Committee regarding technical issues with the implementation of Oracle R12.

Members did not raise any questions in relation to the briefing.

10. **EXCLUSION OF THE PUBLIC**

RESOLVED – That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A of the Local Government Act as follows:-

Item	Paragraph
11-13	3
14	3, 5 & 7
14a	3 & 5

11. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 13 May 2015 were considered and approved as a correct record.

12. **ACTIONS TAKEN UNDER DELEGATED AUTHORITY OR URGENCY PROCEDURES**

The Committee received a report of the Town Clerk advising Members of action taken by the Town Clerk in consultation with the Chairman and Deputy Chairman since the last meeting of the Committee, in accordance with Standing Order No. 41 (a).

13. POULTRY MARKET - GATEWAY 3 ISSUES AND ADDITIONAL OPTIONS REPORT

The Committee considered a report of the City Surveyor providing an update on specific options that Members have previously asked should be considered regarding the future of the Poultry Market at Smithfield Market.

14. NEW SPITALFIELDS MARKET WASTE SELF-SURRENDER BY TENANTS - VARIATION TO WASTE MANAGEMENT CONTRACT

The Committee considered and approved a report of the Director of Markets and Consumer Protection regarding New Spitalfields Market Waste Self-Surrender by Tenants – a variation to the Waste Management Contract.

14A. SPITALFIELDS MARKET BULK LEASE RENEWAL

The Committee received a joint report of the City Surveyor and the Comptroller and City Solicitor updating Members on the current position on negotiations in respect of the bulk Lease Renewal at Spitalfields Market.

15. NON PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

There were no questions in the non-public session.

16. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED

The Director provided the Committee with an update on staffing at Superintendent level.

The meeting closed at 12.40 pm

Chairman

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