

Markets Committee

WEDNESDAY, 30 SEPTEMBER 2015 Date:

Time: 11.30 am

Venue: COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

Members: John Scott (Chairman) Edward Lord

> James Tumbridge (Deputy Professor John Lumley Chairman) Alderman Julian Malins

Alex Bain-Stewart Wendy Mead

Deputy John Barker **Deputy Robert Merrett** Nicholas Bensted-Smith Deputy Joyce Nash

Chris Boden Graham Packham

Revd Dr William Campbell-Taylor Chris Punter Deputy John Chapman Elizabeth Rogula

Karina Dostalova James de Sausmarez

Alderman John Garbutt Ian Seaton Deputy Dr Giles Shilson **Deputy Stanley Ginsburg**

Angela Starling **Deputy Brian Harris** Tom Hoffman Patrick Streeter Ann Holmes David Thompson Michael Hudson Mark Wheatley

Deputy Jamie Ingham Clark Deputy Alastair King

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Lunch will be served in the Guildhall Club at 1pm N.B. Part of this meeting could be the subject of audio or visual recording

> John Barradell **Town Clerk and Chief Executive**

AGENDA

Part 1 - Public Agenda

- 1. **APOLOGIES**
- 2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA
- 3. **PUBLIC MINUTES**

To agree the public minutes of the meeting held on 22 July 2015.

For Decision (Pages 1 - 6)

4. MARKETS BUSINESS PLAN UPDATE PERIOD 1 2015/16 (APRIL - JULY)

Report of the Director of Markets and Consumer Protection.

For Information (Pages 7 - 28)

5. MARKETS COMMITTEE RISK

Report of the Director of Markets and Consumer Protection.

For Information (Pages 29 - 38)

6. CHRISTMAS 2015 - SMITHFIELD MARKET TRAFFIC MANAGEMENT PLAN Report of the Superintendent, Smithfield Market.

For Decision (Pages 39 - 58)

- 7. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE
- 8. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT
- 9. **EXCLUSION OF THE PUBLIC**

MOTION - 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 Part I of Schedule 12A of the Local Government Act.

Part 2 - Non-Public Agenda

10. NON-PUBLIC MINUTES

To agree the non-public minutes of the meeting held on 22 July 2015.

For Decision (Pages 59 - 64)

11. POULTRY MARKET - UPDATED GATEWAY 3 OPTIONS REPORT

Report of the City Surveyor.

For Decision

(Pages 65 - 86)

12. **POULTRY MARKET LETTING STRATEGY**

Report of the City Surveyor.

For Decision

(Pages 87 - 96)

13. TENANCIES AT WILL AND ASSIGNMENTS

Report of the Director of Markets and Consumer Protection.

For Information

(Pages 97 - 100)

14. DEBT ARREARS MARKETS - PERIOD ENDING 30TH JUNE 2015

Report of the Director of Markets and Consumer Protection.

For Information

(Pages 101 - 112)

15. RECOVERING THE COSTS OF ADMINISTERING DEBT AT THE MARKETS

The Chamberlain to be heard.

For Information

16. CONCESSIONARY PARKING AT SMITHFIELD MARKET DURING THE CHRISTMAS PERIOD 2015

Report of the Superintendent, Smithfield Market.

For Decision

(Pages 113 - 116)

17. SMITHFIELD COOLING SYSTEM

The City Surveyor to be heard.

For Information

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

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



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)

James Tumbridge (Deputy Chairman)

Ann Holmes

Edward Lord

Deputy John Barker
Nicholas Bensted-Smith
Alderman Julian Malins
Deputy John Chapman
Alderman John Garbutt
Deputy Stanley Ginsburg
Tom Hoffman

Professor John Lumley
Alderman Julian Malins
Deputy Robert Merrett
Deputy Joyce Nash
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

Peter Young

Scott Morgan

Huw Rhys Lewis

Town Clerk's Department
Town Clerk's Department
Town Clerk's Department
City Surveyor's Department

Paul Spooner Operations and Administration Manager, Smithfield

Market

In Attendance:

Billy Dove Chief Commoner

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 refridgeration '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.

Chairman		

The meeting closed at 12.40 pm

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Committee(s):	Bus ilua iteli
Markets	30 September 2015
Subject: Markets Business Plan Update Period 1 2015/16 (April – July)	Public
Report of:	For Information
Director of Markets and Consumer Protection	

Summarv

This report provides an update on progress against the Business Plan of the Markets Department for Period 1 (April-July) of 2015-16 against key performance indicators (KPIs) and objectives outlined in the Business Plan.

The report consists of:

- Performance against the key performance indicators (KPIs) and progress report on the business plan - Appendix A
- Matters of general interest to the Committee Appendix B
- Financial information Appendix C
- Sickness statistics Appendix D

Key points from the appendices to the report are:

- •Billingsgate. A £50 overcharging fee was implemented at Billingsgate Market on 25th August to tackle the persistent problem of market hall encroachment.
- •Billingsgate car park is expected to make £400,000 for 2015/16; the Service Base Review Target is £305,000.
- •The second phase of the project to replace the roof has been delayed until there is further progress on evaluating and clarifying the costs of the Additional Facilities project.
- •Smithfield. The maintenance department specification has been agreed by the SMTA and Head of Maintenance.
- •Following agreement with the SMTA on a revised specification for the security function a decision has been made to reduce the complement by 3 staff.
- •Vinci Park Services UK have been awarded the new contract to manage all the City off street car parks, including Smithfield Rotunda car park and a report seeking approval for changes to current tariff arrangements will be submitted to the January Committee.
- •A workshop run by FTA and attended by City of London staff was held on 19th August to discuss the recommendations.
- •The FTA will now produce a presentation comprising the list of things that both the City and the tenants need to do to ensure that HGV unloading operations at the market no longer constitute a Red risk.
- •Spitalfields. Initial negotiations led by the City Surveyor with the Spitalfields Market Tenants Association did not reach agreement on renewal lease terms and Deloitte has now been engaged as the City's expert witness to act in future negotiations and any Court related proceedings. It is currently anticipated that either through negotiation or a Court approved dispute resolution process, terms for new leases will be settled by Summer 2016.
- •The draft Working Manual will be completed by the end of October and, once agreed by the City Surveyor and Comptroller & City Solicitor, will be subject to

consultation with the tenants during the lease negotiations.

- •Sickness MKPI 1. The underperformance at all Markets during Period 1 was due to 7 long-term sickness cases predominantly within the constabulary teams at Smithfield and New Spitalfields Market. At Billingsgate Market there was a hike in short-term sickness cases and this was within the constabulary and cleaning teams.
- •**Department.** The first Workforce Planning Group meeting was held on 26th June and a draft plan has been prepared and submitted to Summit Group.
- A market management conference was held on 23rd June.
- •Finance. At the end of July 2015, the Department of Markets & Consumer Protection was £283k (47.4%) underspent against the local risk budget to date of £0.6m, over all the services now managed by the Director of Markets & Consumer Protection covering the Markets Committee. Appendix C sets out the detailed position for the individual services covered by this department. Overall the Director of Markets & Consumer Protection is currently forecasting a year end underspend position of £146k (8.2%) for his City Fund and City Cash services.

Recommendation(s):

It is recommended that your Committee notes the content of this Report and its appendices.

Main Report

Background

- 1. The 2015-16 Markets Business Plan sets out six Key Performance Indicators (KPIs) and 14 Key Improvement Objectives against which the Markets performance will be measured throughout the year.
- 2. The KPIs and objectives are updated in Appendix A.

Financial and Risk Implications

- 3. The end of July 2015 monitoring position for Department of Markets & Consumer Protection services covered by Markets Committee is provided at Appendix C. This reveals a net underspend to date for the Department of £283k (47.4%) against the overall local risk budget to date of £0.6m for 2015/16.
- 4. Overall the Director of Markets & Consumer Protection is currently forecasting a year end underspend position of £146k (8.2%) for his City Fund and City Cash services under his control. The table below details the summary position by Fund.

Local Risk Summary by Fund	Latest Approve d Budget	Foreca st Outturn	Variance from Budget +Deficit/(Surplus)	
	£'000	£'000	£'000	%
City Fund	48	48	0	0%
City Cash	1,743	1,597	(146)	(8.4%)

Total Markets Services Local Risk	1,791	1,645	(146)	(8.2%)

- 5. The reasons for the significant budget variations are detailed in Appendix C, which sets out a detailed financial analysis of each individual division of service relating to this Committee, for the services the Director of Markets & Consumer Protection supports.
- 6. The better than budget position at the end of July 2015 relates mostly to underspends at Smithfield Market for salary savings on vacant security posts deleted a year early for the Service Based Review; savings on the water, energy and Citigen budgets due to lower anticipated seasonal usage; and underspends against the agreed carry forward budgets as these works will be completed later in the year by the City Surveyor. Other underspends to date relate to Spitalfields Market and reimbursable energy costs received from the tenants due mainly to the uplifted charges, however, any over-recovery will be offset against lower service charge bills at year end.
- 7. These favourable variances are partly offset by increased charges at Smithfield Market for the new VINCI car park contract. Additional income will need to be generated or cost savings made elsewhere to offset these costs.
- 8. The Director of Markets & Consumer Protection anticipates this current better than budget position will continue to year end, subject to income activity achieving projected levels.

Strategic Implications

9. The monitoring of performance indicators across the Division links to all three Corporate Plan Strategic Aims (To support and promote 'The City', To provide modern, efficient and high quality local services for the Square Mile; and, To provide valued services to London and the nation).

Consultees

10. The Town Clerk and the Chamberlain have been consulted in the preparation of this report.

Background Papers

Appendix A - Performance against the key performance indicators (KPIs) and progress reports on the business plan

Appendix B - Matters of general interest to the Committee.

Appendix C – Financial Information Appendix D – Sickness statistics

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2015-2016 Progress against Markets Business Plan - Key Performance Indicators

This Report aims to bring Members up to date on progress in achieving the objectives set out in the annual Business Plan for the 1st period in 2015/16 (April– July inclusive).

To end o	f Period 1 (April - July)		Period 1 Target days	Actual days lost
MKPI 1 Achieve an overall sickness level of no more than 6 days per person by 31 March 2016, and a total of no more than 720		Billingsgate	80	94
	days across all markets ¹ .		92	199
		Spitalfields	56	155
		Directorate	12	1
		Total	240	449

Comments: The underperformance at all Markets during Period 1 was due to 7 long-term sickness cases predominantly within the constabulary teams at Smithfield and New Spitalfields Market. At Billingsgate Market there was an increase in short-term sickness cases within the constabulary and cleaning teams.

90% Billi	
90% Dilli	ngsgate 91%
Smi	thfield 97%
Spii	alfields 95%
	Smit

¹. Target based upon Full Time Equivalent (FTE) members of Markets staff at 31 December 2014 (no. 120).

MKP 2b	100% of debts settled within 120 days.	100%	Billingsgate	99%
			Smithfield	97%
			Spitalfields	97%
	s: The failure to meet the target here is due to debt previously shown as being n	·		•
managed	by the spending department following the recent change in the property man	agement system (O	<u>racle R12 OPN)</u>	•
MKP 3	Divert 90% of waste from landfill at the Markets	90%	Billingsgate	100%
			Smithfield	100%
			Spitalfields	100%
MKP 4	Achieve 95% occupancy of all lettable space at Billingsgate, Smithfield and New Spitalfields Markets.	95%	Billingsgate	98.5%
			Smithfield	88%
			Spitalfields	98%
	s: The underperformance at Smithfield Market during Period 1 is due to vacant	space in the Poultry	Market Building	remaining unlet
	City awaits tenants' fit out proposals.	T	T	
MKP 5	Improve the standard of incident reports, ensuring all information and		Billingsgate	100%
	evidence is gathered thoroughly and documented. All reports to be completed within 3 days following the reporting of an incident.		Smithfield	80%
			Spitalfields	100%
Commen	ls: The underperformance at Smithfield Market during Period 1 is due to one acc	ident report being s	ubmitted late ir	n May.

	1	Customer and Stakeholder Focus. Deliver statutory and non-statutory services to a high quality with regulatory services being increasingly intelligence and risk-based, in line with the Government's Deregulation agenda and the risks accepted by Members in the Service Based Review.	April – July 2015/16
Page		Billingsgate Market Refresh the Code of Practice at Billingsgate to include all areas that require compliance. •The Code of Practice will clearly set out the responsibilities of the landlord, tenants and market workers in terms of day-to day market activities. •This will assist with ensuring that food hygiene standards and safety are maintained.	•In order to tackle the persistent problem of market hall encroachment, the subject will be included in the updated Code of Practice and is being addressed by charging £50 for overtrading; this has been approved by Comptroller &City Solicitor. The charging policy was implemented on 25th August and, although it is early days, the impact has been dramatic with market hall aisles being kept clear and no charges have had to be levied. •A consultation exercise with tenants was carried out. Most tenants accepted that encroachment had to be dealt with and that the proposed overtrading charges were appropriate.
13		New Spitalfields Market Draft a Working Manual for New Spitalfields Market in consultation with the tenants. •The Working Manual will clearly set out the responsibilities of the landlord, tenants and market workers in terms of day-to day market activities.	 The draft Working Manual will be completed by the end of October and, once agreed by the City Surveyor and Comptroller & City Solicitor, will be subject to consultation with the tenants during the lease negotiations. It is intended that compliance with the Working Manual should be written into the draft new leases and will help address safety issues at the Market.

2	Finance. Achieve greater value for Money for all our services, including developing and implementing Action Plans for the Service Based Reviews and rigorous reviews locally of Service Charge costs and increased income generation.	April – July 2015/16
Page	New Spitalfields Market Manage the lease renewals in collaboration with City Surveyor's. •Successful completion of the lease negotiation process.	 Initial negotiations led by the City Surveyor did not reach agreement on renewal lease terms or the market rent payable at renewal. Deloitte has now been engaged as the City's expert witness to act in future negotiations and any Court related proceedings. In accordance with Court Directions issued in July The Comptroller & City Solicitor issued a draft lease to the Tenant's solicitor on which amendments are to be presented to the City by 22 September. Negotiation regarding rent are ongoing but will not be finalised until lease terms are settled. It is currently anticipated that either through negotiation or a Court approved dispute resolution process, terms for new leases will be settled by Summer 2016.
14	Agree service specifications with the SMTA under the terms of the new leases. •The work of the Joint Specification Committee will be completed, with specification agreed for all services that are provided to our tenants. •Terms of new leases become embedded as 'business as usual'.	 The work of the Joint Specification Committee (JSC) continues with reviews progressing in the following operational areas: The current cleaning schedules have been agreed by the SMTA and Head of Maintenance, and staffing levels have been agreed. The maintenance department specification and staff levels have been agreed by the SMTA and Head of Maintenance. The general waste contract and other services have been reviewed in an effort to ensure best value. City Procurement is to assist in the development of a potential tender process for disposal of wood/cardboard and whole pallets.

Billingsgate & Smithfield Markets

Implement Service Based Review (SBR) proposals.

- •Car park usage at Billingsgate and Smithfield Markets, and associated income streams, will be increased in line with SBR commitments.
- •The 7 vacant meat trading premises in the Smithfield Poultry Market will be let, and income opportunities maximised.

Billingsgate

•Car Parking income is split 80% central risk and 20% local risk. Total income in the current financial year is expected to be in excess of £400,000, the income required to the Service Base Review target is £305,000.

Smithfield

- •The tender for the management of all the City's off street car parks, including Smithfield Rotunda car park, is now complete, with the new contract being awarded to Vinci Park Services UK Ltd on the 1st April 2015.
- •New equipment will be installed in the car park which will, for the first time, allow information to be gathered on the times the car park is in high demand.
- A report seeking approval for changes to current tariff arrangements will be submitted to the January 2016 Markets Committee meeting.
- •Various campaigns to increase the use of the Rotunda car park have been initiated:-
 - •The car park is being advertised on the 'How to find us' web page of St Bartholomew's Hospital web site.
 - •The car park features on Parkopedia.
- •The commitment made under the Service Based Review was to increase the income from the car park by £31,000 by 2015/16, based upon a base figure of £622,000 in 2012/13. Financial information shows that from 2013/14 to 2014/15 income from the car park increased by £13,567 from £660,453.38 in 2013/2014 to £674,020.60 in 2014/2015.
- •The City Surveyor has concluded the initial exercise of evaluating the tenants' budget fitting out costs for units in the Poultry Market. The tenants' more detailed plans are still awaited.

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	3	Operations and Business Processes. Actively manage both operational and health &safety risks in all aspects of our operations. Collaborate with the City Surveyor to improve the quality of maintenance at our real estate in the short and medium term and, where possible, to improve it.	April – July 2015/16
Page 16		Billingsgate Market Renew the metal roof and adjacent balcony. Safer roof and compliance with the food hygiene regulations. Billingsgate Market Additional Fish Handling facilities, modernisation works. Increased capacity for fish handling transit areas. Tenants will have adequate temperature controlled building space to safely handle each day's fish volumes.	 ◆The metal roof and the additional fish handling projects are being funded from the Billingsgate Sinking Fund and matched funded by fishing grants. ◆As the Sinking Fund has limited funds, due to the fact that it no longer receives contributions, it has been decided to delay the roof project until there is further progress on evaluating and clarifying the costs of the Additional Facilities project. It is expected that by the end of this calendar year these costs will be known and the further evaluation of the roof project can recommence. ◆In the meantime the metal roof will continue to be repaired as necessary. ◆The plans for the Additional Facilities handling plans produced by our consultants, EPR Architects, were sent to the LFMA council in early August. The plans drawn up by EPR were based on questionnaire responses provided by individual tenants relating to their storage and picking requirements. ◆The LFMA who had agreed to sense check the plans have rejected the proposals and asked that meetings take place between the City Surveyor and each individual tenant to determine each tenants needs. The requested meetings with individual tenants are scheduled to commence on 23rd September.
		Billingsgate Market Resolve internal market cleaning. • An improvement in the overall standard of cleaning will be apparent, to all stakeholders.	 Following a tenant's complaint, Tower Hamlets Environment Health Officers made an unannounced visit inspecting the external cleaning standards at the end of the working day. The visit resulted in no adverse comments being made.
		New Spitalfields Market Improve safety in relation to workplace transport operations in and around the Market Hall with a focus on forklift truck manoeuvres. •Recommendations from the short/medium/long term Traffic Management Plans and associated procedures	 The Traffic Management Plan is broken into eight short-term activities. S1.FLT (Fork Lift Truck) crossing points. Crossing points have been painted on all road ways and the constabulary are carrying out enforcement activities. S2.Increase in targets for Constabulary. Increase presence of Constabulary in Market Hall during trading hours. Targets for the Constabulary for reporting fork lift truck incidents has been raised from 4 to 12 per month, and for issuing Over Trading

Page '	will be put in place, reducing the risk of accidents and near misses.	Notices from 2 to 4 per month. •\$3.To nominate/appoint one approved training body for all FLT training. The City of London Health and Safety Manager is going to identify appropriate trainers from which to select, subject to a procurement process. •\$4.FLT operators to have their permits to operate readily available at all times. Three campaigns were carried out in May to highlight the requirement for permits to be displayed at all times or risk being issued with a 2 point penalty notice. •\$5.All staff and customers to wear high vis vests. From 1st May it became compulsory to wear high viz vests in and around the Market. The vests cost £2 each and to date 2788 have been sold. •\$6.To enforce speed restrictions to what is deemed appropriate for the operating conditions. From 1st April a new FLT breach for speeding was introduced. •\$7.Impose financial penalty on tenants when FLT operators are suspended/allocated points. Following consultation with the tenants a new policy to cover administration costs of FLT penalty notices will be applied and written into the new Working Manual. •\$8.A member of staff from all tenants to be nominated and trained in FLT safety procedures. Tenants have been asked to nominate one of their employees to take the lead in Health and Safety; this is to encourage tenants and their staff to be more aware of the risks involving FLTs.
17	Smithfield Market Put measures in place to control the risks associated with Unloading operations. •The, currently 'red', health and safety risk associated with unloading operations will be controlled and the target risk of 'amber' achieved.	 Unloading operations, which are a Red risk on the Department's Risk Register, are being addressed and the following measures have been implemented:- The maintenance team have installed the recommended equipment and carried out all the recommendations made by internal City of London Health and Safety experts. The FTA (Freight Transport Association) consultants contracted to carry out an audit of the vehicle unloading procedures gave a presentation of their findings on 10th July and produced a list of recommendations. A workshop run by FTA and attended by City of London staff was held on 19th August to discuss the recommendations. The FTA will now produce a presentation comprising the list of things that both the City and the tenants need to do to ensure that HGV unloading operations at the market no longer constitute a Red risk.

Work with the City Surveyor to agree Mission Critical assets at each of our sites as part of the BRM (Building Repairs and Maintenance) Asset Verification Process

•A definitive list of Mission Critical assets for M&CP properties, with an agreed Planned Preventative Maintenance schedule in place for each, which will facilitate the improved performance of the BRM contract (MITIE).

Billingsgate

- •An asset register exists but in consultation with the local team is still being checked for completeness by the City Surveyors Facility team.
- •The City Surveyors are finalising the preventative maintenance plan and will be providing the local team with a diarised plan which will help the management and monitoring of contractors servicing visits.

Smithfield

- •An asset register was reviewed by the City Surveyors team and further work is required to ensure its completeness.
- •The head of maintenance is working with City Surveyors Facility team and providing information on the Markets maintenance schedule to ensure that everything from Smithfield market is covered. Anything missing is being added as an ad hoc job and then being varied into the contract, some example of this are smoke vents, shutters and generator maintenance.

 Spitalfields
- •An asset register has been reviewed by the City Surveyors team and further work is required to ensure its complete accuracy.
- •The head of maintenance is working with City Surveyors Facility team and providing information on the Markets maintenance schedule to ensure that all plant and services are included.

4	People and Innovation. Enhance the quality of our leadership and people-management in line with the corporate values of "Lead, Empower, and Trust". Instil a greater sense of responsibility in our middle management cadre.	April – July 2015/16
	Smithfield Market Complete the restructure of the security team.	•A Project Board was set up to undertake this task and a number of options were consulted on.
	Security service meets the agreed specification and produces the required cost reductions as identified in the SBR measures.	 A decision has been made to reduce the complement of the Constabulary by three from 1st January 2016. This will comprise a Head of Security, three Sergeants and 12 Constables. This will deliver a saving of £113,000 as outlined in the SBR measures. The formal staff consultation process has been concluded.
Page 19	Develop and implement a workforce plan which ensures that our workforce has both the capability and resources to meet the Division's business objectives. • A Departmental Workforce Plan will be published and the actions within it will have begun to be carried out.	 The first Workforce Planning Group meeting was held on 26th June and the emerging priorities were identified as: Leadership Development at all levels of management and staff learning and development needs. Mobile working. Succession planning. A draft workforce plan has been prepared and submitted to Summit Group via the Corporate Workforce Planning Group.
	M&CP senior managers review and implement all relevant actions from the Business improvement plan to address any gaps identified through the IIP assessment. •Contributing to achieving the stretch target of Silver in September 2015.	 Relevant actions have been identified and implementation is underway regarding training and management development. A conference for Managers was held on 23rd June. Interviews with the liP Assessors have been scheduled for 21st & 22nd September for the Markets and Consumer Protection department and a cross section of staff from across the department have been selected to attend.

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Matters of General Interest to the Committee

Billingsgate Market

Visitors

April 2015

Wednesday 8th – G.Gutteridge & 30 caterers/colleagues – Remembrancer's Office

June 2015

Friday 12th – Lord Mayor & guests

Wednesday 24th – Students & Tutor from Westminster Kingsway College – Apprentices Visit – Cooks Company

Filming/photography

April 2015

Saturday 4th – Non-commercial photography

Thursday 9th – Photography for college course

Friday 10th - Non-commercial photography

Friday 10th – Non-commercial photography

Friday 10th – Non-commercial photography

Tuesday 14th – Photography for college course

Wednesday 15th - Cross Culture Holdings - Filming - £300 + VAT

Friday 17th - Non-commercial photography

Saturday 18th – Non-commercial photography

Friday 24th – Non-commercial photography

Tuesday 28th – Boundless Productions – Filming for The Apprentice - £700 + VAT

Wednesday 29th – CNBC – Filming for news

Thursday 30th – Non-commercial photography

May 2015

Saturday 2nd – Photography for college course

Wednesday 6th – British Red Cross Charity Collection

Thursday 7th – Tuesday 12th – Photography for college course

Saturday 9th – Photography for college course

Thursday 14th – Photography for college course

Saturday 16th – Photography for personal use

Saturday 16th – Photography for personal use

Saturday 16th – Non-commercial photography

Thursday 21st – Photography for college course

Friday 22nd – Photography for college course

Saturday 23rd – Non-commercial photography

Wednesday 27th – Photography for college course

June 2015

Wednesday 3^{rd} – TwoFour – Filming with Chamberlain & Thelwell

Friday 5th – Non-commercial photography

Saturday 6th – Non-commercial photography

Thursday 11^{th} – Friday 12^{th} – Carnival Film Unit Base Parking - £1400 + VAT

Saturday 20th – Non-commercial photography

Saturday 20th – Non-commercial photography

Saturday 20th – Non-commercial photography

Wednesday 24th – Photography for school classroom wall

Tuesday 30th – BBC News – The impact of climate change on fish stocks

Smithfield Market

Visitors

15 April 2015- Caterers & Remembrance's office Visit Smithfield Market

11 May 2015 - Haberdashers Company Visit Smithfield Market

20 May 2015 - Annual Markets Committee Visit Smithfield Market

27 May 2015 - National Farmers Union Smithfield Market

3 June 2015 - Worshipful Company of Cooks Apprentice Scheme Smithfield Market

28 July 2015- Smithfield Market Tenants' Association- Lord Mayor's Visit

Filming/photography

4th May - ITV Jekyll and hyde

22nd May - Lucy Man

6th June - Nocturne event

 $\mathbf{5}^{\text{th}}$ June - Student Photography -Lynda Jessop - City and Guilds Photography course at Morley college

21st July -Permit for Photo-shoot at William Warman & Guttridge Ltd, Smithfield Market

New Spitalfields Market

Visitors

May

Tuesday 12th – Lord Mayor and Lady Mayoress together with the Sheriffs on their annual visit to the market

June

Wednesday 3rd – A delegation from the Dominican Republic

July

Tuesday 14th – A group of GCSE Students from Higham Lane School, Nuneaton, Warwickshire

Tuesday 14th - Alderman John Garbutt visited the market, as he had missed the Committee visit, accompanied by David Smith.

<u>August</u>

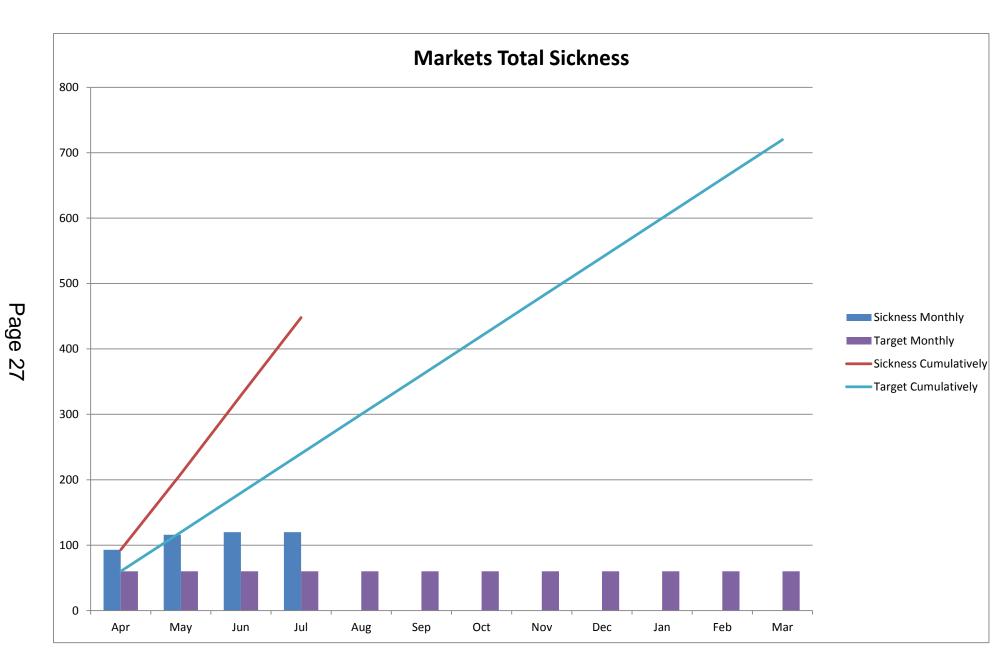
Wednesday 26th – A group of Brazilian Farmers

Appendix C Department of Markets & Consumer Protection Local Risk Revenue Budget - 1st April to 31st July 2015 (Income and favourable variances are shown in brackets)

	3		Actual to Date	Variance to Date	Projected Outturn	Variance f	Note	
	Budget 2015/16 £'000	Net Expenditure £'000	Net Expenditure £'000	+Deficit / (Surplus) £'000	+Deficit / (Surplus) £'000	Approved Budget 2015/16 £'000 %		Note
	2 000	2000	2000	2 000	2 000	2 000	70	\vdash
Markets (City Cash)								
Directorate	423	141	134	(7)	423	0	0%	
Billingsgate - Corporate Account	166	55	59	4	166	0	0%	
Billingsgate - Service Charge	0	0	0	0	0	0	0%	
Billingsgate - Repainting and Special Works	0	0	0	0	0	0	0%	
Smithfield - Service Charge	1,127	376	222	(154)	934	(193)	-17%	1
Smithfield - Corporate and Direct Recovered	75	25	(33)	(58)	75	0	0%	2
Smithfield - Other (Including Car Park)	(48)	(16)	1	17	(1)	47	98%	3
	1,743	581	383	(198)	1,597	(146)	-8%	
Markets (City Fund)								
Spitalfields - Corporate Account	22	7	12	5	22	0	0%	
Spitalfields - Service Charge	26	9	(81)	(90)	26	0	0%	4
Spitalfields - Repair and Repainting	0	0	0	0	0	0	0%	
	48	16	(69)	(85)	48	0	0%	
				(000)		(1.0)		
TOTAL MARKETS COMMITTEE LOCAL RISK	1,791	597	314	(283)	1,645	(146)	-8%	

- Notes: 1. Specifield Service Charge favourable variance is due to salary savings on vacant security posts deleted a year early for the Service Based Review and savings on the water and Citigen budgets due lower anticipated usage. Further underspends to date relate to the agreement of £189K of carry forwards that will be completed at a later date during the year by City Surveyors.
- 2. Smithfield Corporate & Direct Recovered favourable variance is due to lower energy usage, due to seasonal variations. This is all directly recovered from tenants and Commercial Offices plus 10%.
- 3. Smithfield Other projected overspend due to increase in the new VINCI car park contract costs. Additional income will be need to be generated or cost savings made elsewhere to offset these costs.
- 4. Spitalfields Service Charge favourable variance is due to reimbursable energy costs from tenants. Additional monies received to date are mainly related to the uplift charged to tenants, and any over-recovery will be offset against the service charge bill at year end.

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Appendix D

Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	
93	116	120	120									
93	209	329	449									
60	60	60	60	60	60	60	60	60	60	60	60	
60	120	180	240	300	360	420	480	540	600	660	720	720
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Agenda Item 5

Committee(s)	Dated: 30 September 2015
11 1 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	30 September 2013
Markets Committee	
Subject:	Public
Markets Committee Risk	
Report of:	For Information
Director of Markets and Consumer Protection	

Summary

This report has been produced to provide the Markets Committee with assurance that risk management procedures in place within the Department of Markets and Consumer Protection are satisfactory and that they meet the requirements of the corporate Risk Management Framework.

Risk is reviewed regularly by the departmental Senior Management Team as part of the on-going management of operations within the Department of Markets and Consumer Protection. In addition to the flexibility for emerging risks to be raised as they are identified, a process exists for in-depth periodic review of the risk register.

The Department of Markets and Consumer Protection have identified a number of departmental risks. Of these, the most significant risks are for this Committee to consider are:

- MCP-NS 001 Workplace Traffic Management (Current Risk: RED)
- MCP-SM 001 HGV Unloading Operations (Current Risk: RED)
- MCP-SM 002 Cooling Towers (Current Risk: AMBER)
- MCP-SM 003 East Poultry Avenue (Current Risk: AMBER)
- MCP-SM 004 Cooling Water Failure (Current Risk: AMBER)
- MCP-SM 005 Power Failure (Current Risk: AMBER)

Recommendation(s)

Members are asked to note the report and the actions taken in the Department of Markets and Consumer Protection to monitor and manage effectively risks arising from our operations.

Main Report

Background

1. The Risk Management Framework of the City of London Corporation requires each Chief Officer to report regularly to Committee the key risks faced in their department. Audit and Risk Management Committee has requested that such risks should be reported at a Committee level.

Current Position

2. This report provides an update of the key risks that exist in relation to the operations of the Department of Markets and Consumer Protection. The report also outlines the processes adopted for the on-going review of risk and mitigating actions.

Risk Management Process

- 3. The Department of Markets and Consumer Protection risk management is a standing agenda item at the monthly Departmental Senior Management Group (SMG) meeting, over and above the suggested quarterly review. SMG receives the risk register for review, together with a briefing note highlighting any changes since the previous review. Consideration is also given as to whether any emerging risks exist for inclusion in the risk register as part of Divisional updates on key issues from each of the Superintendents and Assistant Directors, ensuring that adequate consideration is given to operational risk.
- 4. Between each SMG meeting, risk and control owners are consulted regarding the risks for which they are responsible, with updates captured accordingly.
- 5. Regular risk management update reports are provided to this Committee in accordance with the City's Risk Management Framework.

Identification of New Risks

- 6. New and emerging risks are identified through a number of channels, the main being:
 - Directly by SMG as part of the monthly review process.
 - In response to regular review of delivery of the departmental Business Plan; slippage against key deliverables, for example.
 - Annual, fundamental, risk register review, undertaken by the tier of management below SMG.

The risk register may be refreshed over and above the stated process for review and oversight, in response to emerging issues or changing circumstances.

Summary of Key Risks

7. The Department of Markets and Consumer Protection's risk Register for markets, attached as Appendix 1 to this report, includes two RED risks and Four AMBER risks:

MCP-NS 001 - Workplace Traffic Management (Current Risk: RED)

Over 200 forklift trucks are in operation on the New Spitalfields Market site.

An accident involving a pedestrian and a vehicle which resulted in a serious injury or fatality could result in prosecution, a fine, reputational damage for the City and have an adverse impact on the operation and sustainability of the service.

MCP-SM 001 – HGV Unloading Operations (Current Risk: RED)

A lack of suitable and sufficient training and adequate management controls in relation to Heavy Goods Vehicle banksman activities undertaken by staff employed by

Smithfield Market tenants could result in a serious or fatal injury to pedestrians caused by uncontrolled or unguided reversing vehicles.

An accident involving a pedestrian and a vehicle which resulted in a serious injury or fatality could result in prosecution, a fine, reputational damage for the City and have an adverse impact on the operation and sustainability of the service.

MCP-SM 002 – Cooling Towers (Current Risk: AMBER)

Failure to adequately manage or maintain the cooling towers at Smithfield Market could result in an outbreak of Legionellosis. St Bartholomew's Hospital is within the drift area of these towers which exacerbates the impact of this risk due to the close proximity of susceptible persons.

If this risk were to be realised it would result in prosecution, a fine and reputational damage for the City.

MCP-SM 003 – East Poultry Avenue (Current Risk: AMBER)

Vehicular traffic streams enter East Poultry Avenue at Smithfield Market from opposing directions without physical traffic calming measures in place or a marked pedestrian crossing point. Vehicles speeding through this junction vying for road space could cause an accident resulting in fatality or serious injury to pedestrians crossing between market buildings on East Poultry Avenue.

This crossing point between market buildings would be considered as part of the workplace under current health & safety legislation which could result in prosecution, a fine and reputational damage for the City following a serious accident or fatality.

MCP-SM 004 - Cooling Water failure (Current Risk: AMBER)

Failure to maintain the required temperature or flow rate of the condenser water supply at Smithfield Market could result in failure of tenants' refrigeration equipment and the City's ability to operate the service corridors due to a lack of temperature control in these areas.

If this risk were to be realised it could result in prosecution, civil litigation for lost produce and reputational damage for the City.

MCP-SM 003 – Power Failure (Current Risk: AMBER)

Failure of the electrical power supply at Smithfield Market would result in failure of tenants' refrigeration equipment and their ability to trade.

If this risk were to be realised if could result in civil litigation for loss of trade and produce and reputational damage for the City.

Conclusion

8. Members are asked to note that risk management processes within the Department of Markets and Consumer Protection adhere to the requirements of the City Corporation's Risk Management Framework. Risks identified within the operational and strategic responsibilities of the Department of Markets and Consumer Protection are proactively managed.

Appendices

Appendix A – Markets Risk Register Summary

Background Papers

Department Business Plan Department Risk Review Department Business Plan Progress Report Risk Management Strategy

MCP Markets Committee Risk Report Appendix A

Report Type: Risks Report Report Author: John Smith Generated on: 21 August 2015



Risk No, Title, Department, Risk creation date	Description (Cause, Event, Effect)	Current Risk Score	Risk Owner	Risk update	Target Risk Score	Target date	Risk Trend
MCP-NS 001 Workplace Fraffic Management Department of Markets and Consumer Protection Creation Date 24-Feb-2015	Cause: Over 200 forklift trucks operate on the New Spitalfields Market site. Event: There is a serious risk of injury or death of a pedestrian if vehicle movements in this constrained space are not appropriately managed and controlled. Effect: An accident involving a pedestrian and a vehicle which resulted in a serious injury or fatality could result in prosecution, a fine, reputational damage for the City and have an adverse impact on the operation and sustainability of the service.		Sidney Brewer	A traffic management plan is currently in place. The market constabulary monitor fork lift operator behaviours and withdraw permits when required. They also issue penalty points and an accumulation of points will lead to a suspension or cancellation of the permit to operate on the common parts.	Impact	02-Jan-2017	*

	Description (Cause, Event, Effect)	Current Risk Score	Risk Owner	Risk update	Target Risk Score	Target date	Risk Trend
HGV Unloading Operations Department of Markets and Consumer Protection	Cause: A lack of suitable and sufficient training and adequate management controls in relation to Heavy Goods Vehicle banksman activities undertaken by staff employed by Smithfield Market tenants. Event: Serious or fatal injury to members of the public, market staff and other service users caused by uncontrolled or unguided reversing vehicles. Effect: Realisation of this risk could result in a prosecution, fine and reputational damage for the City.	Impact	Robert Wilson	The market constabulary are currently monitoring these areas as part of their routine patrols and are halting any unsafe acts they observe.	Impact 4	31-Dec-2015	*

Risk No, Title, Department, Risk creation date	Description (Cause, Event, Effect)	Current Risk Scor	re	Risk Owner	Risk update	Target Risk Score	Target date	Risk Trend
MCP-SM 002 Cooling Towers Department of Markets and Consumer Protection Creation Date 14-Feb-2015	Cause: Inadequate management and maintenance of the cooling towers at Smithfield Market. Event: An outbreak of Legionellosis associated with these towers. St Bartholomew's Hospital is within the drift area of these towers which exacerbates the impact of this risk due to the close proximity of susceptible persons. Effect: If this risk were to be realised it would result in prosecution, a fine and reputational damage for the City.	Impact	8	David Smith	The City of London has various legionella management plans in place which to date, have been effective in preventing an outbreak of Legionnaires' associated with the operation of its business or properties. A contract in place with a competent contractor which is managed by a responsible person within City Surveyors department. The creation of a single policy, procedure and record keeping system for managing legionella across the entire portfolio is being planned to ensure that risks remain controlled.	Impact 4	31-Dec-2015	*

Risk No, Title, Department, Risk creation date	Description (Cause, Event, Effect)	Current Risk Scor	re	Risk Owner	Risk update	Target Risk Score	Target date	Risk Trend
East Poultry Avenue Department of Markets and Consumer Protection Creation Date 24-Feb-2015	Cause: Vehicular traffic streams enter East Poultry Avenue at Smithfield Market from opposing directions without physical traffic calming measures in place or a marked pedestrian crossing point. This forces vehicles to speed through this junction vying for road space. Event: Road Traffic Accident resulting in fatality or serious injury to pedestrians crossing between market buildings on East Poultry Avenue. Effect: This crossing point between market buildings would be considered as part of the workplace under current health & safety legislation which could result in prosecution, a fine and reputational damage for the City following a serious accident or fatality.		12	Robert Wilson	The Director of the Built Environment has been tasked by the Town Clerk to take the appropriate action on this issue and consequently the Transportation & Public Realm department have agreed to examine the viability of a 'step' traffic calming road installation.	Impact 2	31-Dec-2015	

	Description (Cause, Event, Effect)	Current Risk Scor	e	Risk Owner	Risk update	Target Risk Score	Target date	Risk Trend
MCP-SM 004 Cooling water failure. Department of Markets and Consumer Protection Creation Date 30-Jun-2015 Dagger 37	cause: Failed condenser water supply. Event: Shutdown of essential water supply to market. Impact: Realisation of this risk could result in a prosecution, fine and reputational damage for the City.	Impact	12	Robert Wilson	The water for the East and West Markets is fed from 54,000 litre water tanks installed in the car park basement plant rooms and pumped round the Markets via booster pump sets. If there should have a loss of mains water to the East and West Market then the cooling tower make up tank could be supplied from the West Market potable cold water tank. This would allow refrigeration to continue running for at least 3 hours after initial water shutdown. Poultry Market tenants are fed directly from a mains water supply and units contain a small storage of water in water tanks installed in the office areas.	Impact		

Risk No, Title, Department, Risk creation date	Description (Cause, Event, Effect)	Current Risk Scor	-e	Risk Owner	Risk update	Target Risk Score	Target date	Risk Trend
MCP-SM 005 Power failure. Department of Markets and Consumer Protection Creation Date 30-Jun-2015 U	Cause: Failed electricity power supply. Event: Breakdown of essential electricity supply for the market. Impact: If this risk were to be realised it would result in loss of trade, reputational damage and civil litigation resulting from loss of trade and produce.	Impact	8	Robert Wilson	Existing controls: Contingency plans are in place to change transformer feed from one building to another. However only works if one building is still working. Test run with emergency generators has taken place which will keep the market running. An emergency assessment plan is now in place with MEMS Power generation who has assessed the Market needs and have details of what is needed under such circumstances speeding up the reinstatement of supply.	Impact 4		*

Committee:	Date(s):
Markets Committee	30 September 2015
Subject: Christmas 2015 – Smithfield Market Traffic Management Plan	Public
Report of: Superintendent – Smithfield Market	For Decision

Summary

This report is to update Members on discussions to implement a comprehensive Traffic Management Plan at Smithfield Market for the Christmas period 2015 following the success of a similar Plan initiated in 2014. The final details of this years proposed Plan are attached as Appendices 1-3 to this report, in order to continue to alleviate the congestion, and at times gridlocking, of traffic around the Market which had been experienced during Christmas periods prior to the implementation of last year's Plan.

Whilst officers have again not been able to identify any alternative non Market Committee sources of funding for the provision of private stewards and other additional costs required, they have identified that funds could be made available from a projected underspend on Smithfield Central Risk budgets similar to those agreed by your committee in 2014, or from reducing the period of any concessionary parking by one week to maintain car parking charges to cover some of these additional costs.

If the Committee is not prepared to approve the funding of these additional measures from its own resources then it will not be possible to implement the attached Traffic Management Plan, and officers will need to be instructed to immediately prepare a Christmas Traffic Plan based upon previous years arrangements prior to 2014 with the inherent difficulties encountered as a result.

Recommendation(s)

Members are, therefore, asked to:

- Approve the Final Traffic Management Plan attached to this report, and;
- Agree to fund the additional traffic control measures such as the appointment of private stewards outlined in this report from either the projected underspend on Smithfield Central Risk budgets or from a reduction in any concessionary car parking measures by one week.

Main Report

Background

- 1. At your meeting on 19 September 2014 the Committee received a report of the Superintendent in relation to a Traffic Management Plan for Christmas 2014 and resolved that Members approved the Final Traffic Management Plan, and funding the private stewards and signage be provided from the projected underspend on Smithfield Central Risk budgets.
- 2. Subsequently, at your meeting on 28 January 2015 the Superintendent provided a report on the outcome of the Plan and where it was generally agreed by all parties involved in implementing the Plan that the situation in 2014 was a significant improvement in traffic circulation around the Market, with no significant gridlocking which had been experienced in previous years, and that a plan for 2015 should be progressed including lessons learnt from the experiences gained in 2014. The committee agreed that the plan was successful in minimising congestion and was a vast improvement on the previous year.
- 3. It was also agreed at your 28 January 2015 meeting that if a Traffic Plan was to be adopted for Christmas 2015 a number of changes were identified as likely to improve its implementation as follows:
 - Better and larger signage at Aldersgate Street/Long Lane junction along the lines of "Access to Smithfield Market Only" on high trestles and "heavy goods vehicles only" signs at the western end of Charterhouse Street/Farringdon Road junction.
 - Diversion route signage around the whole route.
 - Better and larger car park signs in Long Lane and at the entrance to the Rotunda Car Park.
 - Increased resources at the entrance to the car park to manage unauthorised loading and unloading by customer vehicles. Alternatively the introduction of a customer loading and unloading area.
 - Deployment of additional stewards (two or three).
 - Improved layout of the car park to make it more "customer friendly".
 - More effective use of the parking attendants in the car park to manage capacity.
- 4. At a subsequent meeting of all parties on the 2 July 2015 it was agreed that following the overall success of the 2014 arrangements a further Plan for 2015 should be implemented with the additional improvements included as mentioned in paragraph 3 above.
- 5. In addition, it was agreed at the meeting that the compliment of personnel required from the various agencies to implement a revised Traffic Plan should include:-
 - City of London Police comprising 1 sergeant, 2 motorcycle officers and 2 police constables

- Market Constabulary comprising Head of Security, 1 sergeant and 8 constables
- Private stewards comprising 1 supervisor and 10 stewards

Current Position

- 6. As identified in 2014 the City of London Police (CoLP) have reconfirmed that they consider if a Traffic Plan and extra dedicated police resources are required then this would constitute an "event" similar to other events held in the City, and as they are proposing to again dedicate officers to this year's Traffic Plan, CoLP have stated that they will not contribute further funding for stewarding as this type of service is normally funded by the organisers of the event.
- 7. Members may recollect that last year officers investigated the possibility of funding the stewards from the On Street Parking Reserve (OSPR). It was the view of officers with responsibility for the management of this Reserve that the additional traffic calming measures were required as a direct result of the increased Market activity over the Christmas period so fell outside the scope of the OSPR and were, therefore, a matter for the Markets Committee to consider funding from within their own resources.
- 8. The Chamberlains Department has also advised that there are no other suitable alternative sources of funding outside the Markets Committee's own resources.

Financial Implications

- 9. There are no provisions within the Market's Local Risk budget for any costs associated with a Christmas 2015 traffic campaign, not only for the possible provision of private stewards but other possible costs identified and mentioned within the Traffic Management Plan Appendix 1 paragraph 11.1 to that report such as:
 - appointment of private stewards including the cost of radio equipment at £6,800 excluding VAT;
 - traffic management signage of approximately £2,500 excluding VAT;
 - communication including re-printing of the leaflet at £500 excluding VAT
- 10. Officers have, similar to last year, identified from the Smithfield budget position for 2015/16 a forecast underspend on Central Risk relating to a reduction in Food Standard Agency inspection charges which could cover in full the £9,800 costs mentioned in paragraph 9 above.
- 11. Members will have seen in the Non Public Section a report recommending concessionary parking for Christmas 2015 either for a similar two weeks free period as granted last year, or reducing this concession to one week which will still enable the benefits of the Plan to extend to the Rotunda car park.

Depending on the outcome of Members decision to the non-public report funding for additional stewards and other associated costs can either be funded totally from Smithfield's anticipated Central Risk underspend if a two week concession is granted, or if Members accept to reduce the concession to one week the cost of providing stewards can be significantly funded by maintaining the car parking charges for a further week.

12. It should be noted that as the Smithfield tenant's service charge is capped until 2017/18 the costs of this traffic management plan can be met by the City. This should not, however, set a precedent for future funding requirements of this nature when the cap comes to an end.

Conclusion

- 13. Members are asked to approve the implementation of the proposed Final Traffic Plan attached as Appendices 1-3 to this report and agree to fund the associated costs of £9,800 set out in paragraph 9 above either from the projected Central Risk underspend, or from a reduction in car parking concessions.
- 14. If Members decide not to approve either of the funding recommendations in paragraphs 10 and 11 to this report then it will not be possible to implement the proposed Traffic Management Plan, which would be disappointing after the success of last year's Plan, and there will be no alternative but to revert to a similar arrangement prior to 2104 with the inherent difficulties of traffic congestion and gridlocking as experienced and evidenced over many years.

Appendices

- Appendix 1 Smithfield Market Christmas Traffic Planning 2015 Traffic Management proposals
- Appendix 2 Traffic Plan
- Appendix 3 Road Junction Restrictions

Background Papers:

Markets Committee Report 28 January 2015 Agenda Item 6 – Christmas 2014 - Smithfield Market Traffic Management Plan Update

Markets Committee Report 19 September 2014 Agenda Item 6 – Christmas 2014 Smithfield Market Traffic Management Plan Update

Markets Committee Report 16 July 2014 Agenda Item 7 – Christmas 2014 Smithfield Market Traffic Management Plan

Markets Committee Report 29 January 2014 Agenda Item 5 – Christmas 2013 Smithfield Market Traffic Management Plan update

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SMITHFIELD MARKET CHRISTMAS TRAFFIC PLANNING 2015 Final Traffic Management Proposals

1.0 KEY DATES

- 1.1 Christmas Day falls on a Friday this year therefore key dates for special traffic management arrangements around the Market are likely to be on the following dates (although this is subject to review):
 - 17/18 December 2015 (Thursday/Friday)
 - 20/21 December 2015 (Sunday/Monday)
 - 21/22 December 2015 (Monday/Tuesday)
 - 22/23 December 2015 (Tuesday/Wednesday)

1.2 Hours of operation: 10 pm - 7 am.

2.0 ROAD CLOSURE POINTS &TRAFFIC MANAGEMENT

2.1 It is proposed to create an "event space" in the vicinity of the Market to control vehicles entering and exiting the area (although an increase in the volume of traffic around the Market is <u>not</u> an event in itself). The attached plan illustrates how this might be achieved but in summary includes the following traffic controls and restrictions:

STREET	C	ONTROL MEASURES
Long Lane	1.	"NO ENTRY" to HGV's. Private Cars, Taxis & LGV's only
(Used as a stacking		This point will need steward/constabulary/police
area for cars, LGVs		presence.
and taxis)	2.	Suspend all bays from midday
	3.	Road Closed eastbound – this will enable Long Lane to be used as a holding area for smaller vehicles
		be used as a floiding area for smaller verticles
West Smithfield	4.	Suspend all bays from midday – and consider using this
		as a stacking area for LGV's & private cars [rotunda]
		This point will need steward/constabulary/police
	_	presence.
	5.	"NO ENTRY" to private cars, taxis & LGV's. HGV access only
		This point will need steward/constabulary/police
		presence.
	6.	Between Farringdon Street & East Poultry Avenue could
		be used as stacking area for HGV's
		_
Smithfield Street	7.	Exit for all vehicles. Suspend Parking from midday & use
		as overflow stacking use as area.
Chartarhausa	0	"ENTRY ONLY" to HGV's & LGV's. Exit for Private Cars,
Charterhouse Street	0.	Taxis & LGV's.
(Used as a stacking		This point will need steward/constabulary/police

area for HGVs) presence	
East Poultry 9. "CONTROLLED ACCESS ON	LY" to LGV's. HGVs & taxis
Avenue (to service the night clubs)	
This point will need steward	/constabulary/police
presence	7.1
•	
St John's Street 10. "ENTRY" to private cars, taxis	& LGV's, if Long Lane
(This could be becomes full. EXIT for all class	ses of vehicles
reviewed This point will need steward/co	5 .
dynamically on the presence if this is implemented	
day)	
Charterhouse 11. "EXIT ONLY" to all classes of	
Square This point will need steward/co	nstabulary/police
presence	
Conthucian Ctuart 40 "NO ENTEDY" to all alcount	vahiala a
Carthusiasn Street 12. "NO ENTRY" to all classes of	
Barriers/steward/constabula	iry/police presence.
Snow Hill (between 13.EXIT to all classes of vehicles	& overflow stacking area
Smithfield Street & for HGV's on north kerb between	•
Farringdon Street) West Smithfield.	cir dinitinicia direct and
vest official.	
Crossrail will be advised to keep a	area clear.
Snow Hill (between 14. Suspend police bays & use as	
Holborn Viaduct & This point will need steward/co	
Smithfield Street presence	, .
Long Lane between A. Change single yellow line t	o double yellow line
Aldersgate &	
Lindsey Street	
(north side) and	
south side of the	
annex building	
Grand Avenue B. No Change	
Cloth Fair C. No Change (to avoid comp	plaints from residents)
Giltspur Street D. To be used as a contingent	
•	be assigned to the location
if vehicles are to exit via thi	
Parking Bays E. All parking bays including t	
streets within the LB Islingt	•
	,
Potundo (annocito E Limited unleading provided	I for HGVs
Rotunda (opposite F. Limited unloading provided	110111013

2.2 To put into effect the road closures and change the directional flow of traffic, the City of London Corporation as the Highway Authority is required to draft temporary Traffic Regulation Orders (TTROs). This can be done without cost, but 12 weeksnotice is required (early September 2015)

3.0 CITY POLICE RESOURCES

- 3.1 The City Police resources on key dates over Christmas have typically been one Sergeant and four Constables. Whilst it is accepted that the Police need to focus on their core duties (law and disorder), without doubt the presence of uniformed Police Officers has a positive effect on maintaining traffic flow, and driver/customer compliance with the instructions given by the Market Constables. Therefore, Traffic Stewards should not "replace" the Police Officers but instead supplement resources.
- 3.2 The level of resourcing provided by City Police is "fluid". Any decision regarding this would be based on a thorough examination of "threat and risk". There is an option to secure further Police resources by way of a private service charging arrangement. If additional resources are agreed by the City Police the indicative costs are in the region of: £60 per hour for an Officer and £88 per hour for a solomotorcyclist.

4.0 TRAFFIC STEWARDS

- 4.1 Traffic Stewards have the "powers" to stop traffic by way of the signage used to indicate the restriction in place e.g. Road Ahead Closed, No Entry sign. However the signage must comply with the Traffic Signs Manual: Chapter 8 and the particulars specified in the Temporary Traffic Regulation Order. Each road closure point will require appropriate signage (a sign schedule will need to be devised) to indicate where there are restrictions. There are twelve points of the closure area (as detailed in the attached Plan) and nine of these are likely to require a Traffic Steward to ensure driver/customer compliance with the temporary restrictions.
- 4.2 Traffic Stewards wear high visibility jackets, tabards or armbands and are easily identifiable. Their key duties include:
 - Directing traffic within a road closure area
 - Control vehicle movement by stopping traffic when required (but a member of the public does not have to stop)
 - Monitoring of vehicle access, manage accreditation systems (such as permits or dispensations) to ensure vehicles are directed to relevant controlled areas
- 4.3 To be effective, Traffic Stewards must be fully conversant with the Market's expectations and be given clear instructions. This should be done by way of a prepared hand out and detailed briefing at the outset of each key date (it is proposed that this undertaken by Superintendent/Market Constabulary). Stewards also need to know the contingency plans; must be familiar with the layout of the Market and will be expected to remain in their allocated position for the duration agreed unless directed otherwise by their supervisor, the Market Constabulary or a Police Officer. Part of their duties will be the placing of signs, barriers and cones as appropriate.
- 4.4 A Traffic Steward can enforce the temporary restrictions but they must be SIA trained and recognised as an "accredited officer" under the Community Safety Accreditation Scheme (CSAS). This accreditation is given by a Chief Officer of Police under section 41 of the Police Reform Act 2002. At the moment the City of

London is not part of the CSAS scheme although there are plans to review this position. Without this accreditation, Traffic Stewards will be less effective in undertaking their duties.

5.0 CAR PARK MANAGEMENT

- 5.1 There is inadequate signage showing the location of the car park. It is suggested that this be improved by providing additional signage on-street and by having a dedicated resource (Traffic Steward) to direct drivers entering and exiting the car park. To speed up vehicular movement exiting and entering the car park, it is suggested that the barriers are put in the raised position during peak times although this would stop any payments being taken and issues concerning out of sequence season tickets will need to be addressed.
- 5.2 The car park itself is not customer friendly or seen to be safe, which is likely to discourage usage. There is no signage to indicate the location of the lifts and way out signage is inadequate. This means that parking on the ramp or on-street is customer's preferred option, which acerbates the congestion around the Market environs.
- 5.3 Whilst it is accepted that there is no funding to refurbish the car park to make it a more attractive area to park, there are low cost improvements that the Market could consider to encourage usage. For example, additional signage within the car park to clearly show the location of lifts and the exits, and relining of the parking bays on the ramp. With regards to the latter the bays should run horizontal to the kerb line (and not perpendicular) to create greater width of space for passing vehicles. The stairs at the bottom of the ramp should be free from obstructing vehicles and signage indicating access to street level.

6.0 CROSS RAIL

- 6.1 Crossrail can reduce their activity, and where it is safe to do so will remove or reduce their traffic management to assist with traffic flow. Crossrail's assistance with this can be requested/reinforced at the weekly Crossrail Liaison meetings at which the Market is represented.
- 6.2 Crossrail have been asked to review the Butcher's Ramp to see if this can be adjusted to provide more carriageway width, and their workers can be asked to avoid parking in the area on key dates.
- 6.3 There is a compound on the ramp in the car park, which has expanded in recent months. It is suggested that Crossrail be asked to remove this ahead of the key dates and also ensure that the footway on the ramp remains free from materials so pedestrian access is not impeded. This can be raised at the weekly Crossrail Liaison meetings.

7.0 STREET WORKS

7.1 Planned street works within the wider footprint of the Market can be kept to be minimum on key dates. This can be controlled through the Permit Scheme operated by the Highway's Division.

8.0 PARKING ENFORCEMENT

- 8.1 It appears as if the traders/delivery personnel have little regard for the parking restrictions (as recently observed at Easter), and no consideration for their fellow traders and customers with vehicles causing an obstructing when loading and unloading. Whilst this activity might have duration of only 10-15 minutes, this is sufficient time to cause gridlock around the Market with traffic quickly backing up into Aldersgate Street. It should be noted that obstruction is not a parking contravention but instead is a criminal offense that must be dealt with by the Police (providing there is an obstruction, it is wilful or deliberate and it is without lawful excuse).
- 8.2 The City of London Corporation no longer has a vehicle removal service. However this is unlikely to assist in keeping traffic moving as the tow-truck can in itself cause an obstruction. As in previous years, a dedicated team of Civil Enforcement Officers (CEOs) will be provided to issue penalties for vehicles parked in contravention including the temporary restrictions e.g. where single yellow lines have been increased to double yellow times.
- 8.3 Whilst issuing tickets to traders and customers who park in contravention is not desirable, it is proposed that "zero tolerance" be adopted this year and this is communicated extensively prior to the key dates to minimise the negative impact this might have on Market business.

9.0 COMMUNICATION STRATEGY

- 9.1 Underpinning the whole Christmas Traffic Operation must be a comprehensive communication strategy. This can include, but not limited to, the following:
 - **TfL:** travel advice information (in the same way as they communicate event information) aimed at commuters, residents and businesses
 - Social media: traffic alert messages via the Highway's Twitter to warn drivers
 of the peak traffic times and avoid the area if appropriate. The Highways
 Twitter has a high number of Taxis driver followers
 - **Website Information:** City of London and TfL websites are useful for communicating potential traffic "hot spots", Smithfield Christmas traffic congestion can be featured on the front page.
 - Leaflets: information on the temporary traffic arrangements (as proposed) will need to be communicated to customers, traders and delivery drivers (through the Lorry Associations or similar). This could include routes in and out of the Market.
 - City of London internal communications process: information contained in the weekly Traffic Management Bulletin and can be sent to local businesses via CPAT
 - Advanced Warning Signage: to be placed at all approaches to the Market to warn motorists of congestion
 - **Drivers of Foreign Registered Vehicle:** one of the observations made was the time spent trying to overcome language barriers with drivers of foreign registered vehicles. Information on basic instructions could be devised as a hand out reducing the time a vehicle is blocking the traffic flow whilst this communication takes place.

- SMTA website & Smithfield Gazette: traffic controls and restrictions will be widely publicised.
- **HGV arrivals:** where lorries are delayed e.g. in the event of bad weather, they will be encouraged to phone with an estimated time of arrival to help with traffic management.

10. CLASS OF VEHICLE

10.1 It is critical to ensure a clear and common understanding of what constitutes a HGV and LGV. For the purposes of managing vehicles as part of this plan, it is proposed that the following be used to define the difference between an LGV and HGV.

Examples of an LGV:







Example of HGV:-



11.0 FINANCIAL IMPLICATIONS

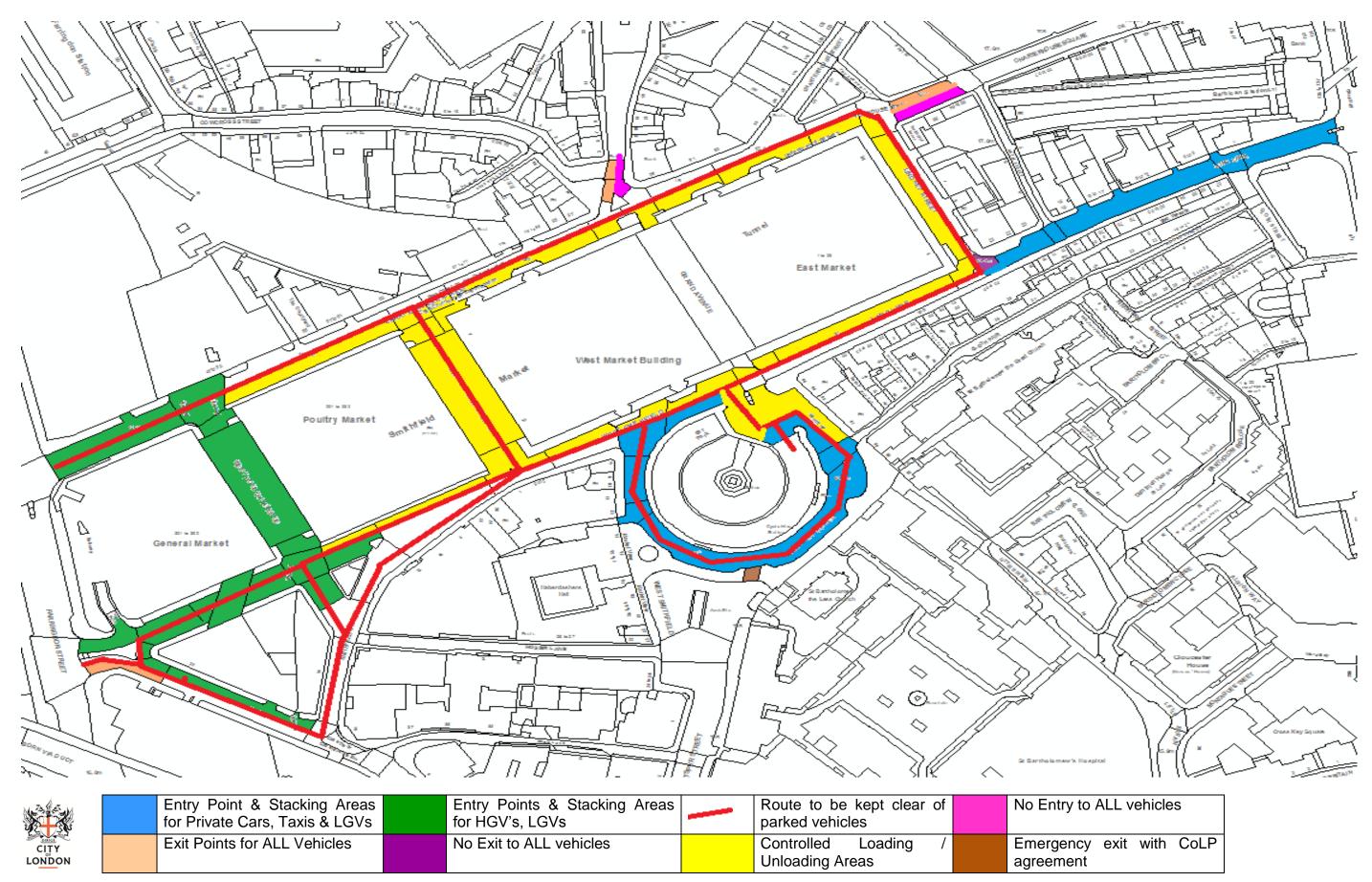
11.1 A summary of indicative costs is outlined in the following table:

Description	Cost	Comment
Traffic Stewards	Estimated to be £6,800 exc VAT	Assuming deployment: 10 pm – 7 am; ten stewards and one supervisor for all four key dates
Additional Police Resources 1 x Police Officer and 1 x solo-motorcyclist	£5,328	Assuming deployment: 10 pm – 7 am; for all four key dates. Subject to City Police approval.
Traffic Management Signage	Approximately £2,500	
Temporary Traffic Regulation Order	Nil.	*Costs absorbed by Department of Built Environment
Communication	£500	*Costs absorbed by Department of Built Environment & Market as appropriate
Parking Enforcement	Nil	*Costs absorbed by

		Department of Built
		Environment
Car Park Management	Nil	*Costs absorbed by
		Department of Built
		Environment
Bay Suspensions	Approximately £2,000	Whilst the costs for bay
		suspensions within the
		City will be absorbed by
		the Department of the Built
		Environment, there may
		be a charge for bays
		within LB Islington. There
		were no charges levied in
		2014.
Total Indicative Costs	£17,128	

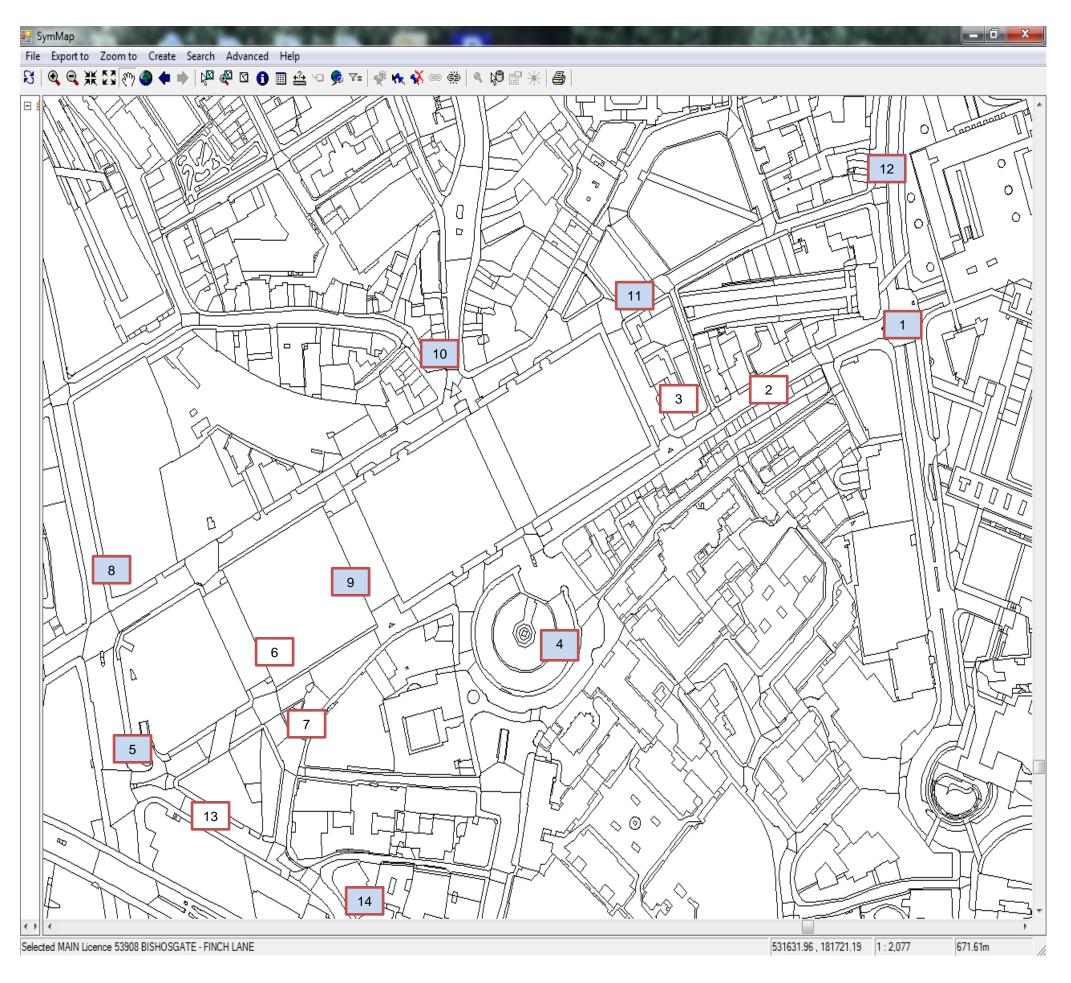
^{*}There are currently no plans to recharge the Market for these costs although this position might be reviewed at some point in the future.

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LONG LANE

- 1. "NO ENTRY" to HGV's. Private Cars, Taxis & LGV's only. STEWARD/CONSTABULARY/POLICE
- 2. Suspend all bays from midday
- 3. Road Closed eastbound this will enable Long Lane to be used as a holding area for smaller vehicles

WEST SMITHFIELD

4. Suspend all bays from midday – and consider using this as a stacking area for LGV's & private cars [rotunda]

STEWARD/CONSTABULARY/POLICE

5. "NO ENTRY" to private cars, taxis & LGV's. HGV access only.

STEWARD/CONSTABULARY/POLICE

6. Between Farringdon Street & East Poultry Avenue could be used as stacking area for HGV's

SMITHFIELD STREET

7. Exit for all vehicles. Suspend Parking from midday & use as overflow stacking use as area.

CHARTERHOUSESTREET

8. "ENTRY ONLY" to HGV's & LGV's. Exit for Private Cars, Taxis & LGV's.

STEWARD/CONSTABULARY/POLICE

EAST POULTRY AVENUE

"CONTROLLED ACCESS ONLY" to HGVs, LGV's & taxis (to service the night clubs)
 STEWARD/CONSTABULARY/POLICE

ST JOHN'S STREET

10. "ENTRY" to private cars, taxis & LGV's, if Long Lane becomes full. EXIT for all classes of vehicles

STEWARD/CONSTABULARY/POLICE

CHARTERHOUSE SQUARE

11. "EXIT ONLY" to all classes of vehicles STEWARD/CONSTABULARY/POLICE

CARTHUSIAN STREET

12. "NO ENTRY" to all classes of vehicles **STEWARD/CONSTABULARY/POLICE**

SNOW HILL b/w Smithfield Street & Farringdon St

13. EXIT to all classes of vehicles & overflow stacking area for HGV's on northkerb

SNOW HILL b/w Holborn Viaduct & Smithfield Street

14. Suspend police bays & use as stacking area for HGV's

STEWARD/CONSTABULARY/POLICE

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.



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By virtue of paragraph(s) 2, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.



By virtue of paragraph(s) 3, 5, 7 of Part 1 of Schedule 12A of the Local Government Act 1972.



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