



Markets Committee

Date: WEDNESDAY, 10 MAY 2017
Time: 11.30 am
Venue: COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

Members:

Rehana Ameer	Alderman Professor Michael Mainelli
Tom Anderson	Andrew Mayer
Adrian Bastow	Deputy Robert Merrett
Matthew Bell	Andrien Meyers
Peter Bennett	Deputy Brian Mooney
Nicholas Bensted-Smith	Deputy Joyce Nash
Chris Boden	Stephen Quilter
Deputy John Chapman	Ruby Sayed
Richard Crossan	John Scott
Deputy Kevin Everett	Ian Seaton
Sophie Anne Fernandes	Oliver Sells QC
John Fletcher	Deputy Dr Giles Shilson
Alderman Sir Paul Judge	Deputy Tom Sleigh
Angus Knowles-Cutler	Deputy John Tomlinson
Gregory Lawrence	James Tumbridge
Tim Levene	Michael Welbank
Deputy Edward Lord	

Enquiries: Gemma Stokley
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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. **ORDER OF THE COURT OF COMMON COUNCIL**
To receive the Order of the Court of Common Council, 27 April 2017, appointing the Committee and setting out its Terms of Reference.
For Information
(Pages 1 - 2)
4. **ELECTION OF CHAIRMAN**
To elect a Chairman in accordance with Standing Order No.29.
For Decision
5. **ELECTION OF DEPUTY CHAIRMAN**
To elect a Deputy Chairman in accordance with Standing Order No.30.
For Decision
6. **APPOINTMENT OF REFERENCE SUB COMMITTEE**
Report of the Town Clerk.
For Decision
(Pages 3 - 4)
7. **PUBLIC MINUTES**
To agree the public minutes of the meeting held on 23 January 2017.
For Decision
(Pages 5 - 14)
8. **APPOINTMENT OF SUB COMMITTEE CHAIRMEN**
Resolution of the Policy and Resources Committee.
For Information
(Pages 15 - 20)
9. **BILLINGSGATE MARKET SEAFOOD SCHOOL**
The Director of the Seafood School (CJ Jackson) to be heard.
For Discussion
10. **SMITHFIELD MARKET - CONDENSER WATER COOLING SYSTEM – UPDATE**
Report of the City Surveyor.
For Information
(Pages 21 - 26)

11. **MARKETS BUSINESS PLAN UPDATE PERIOD 3 2016/17 (DECEMBER - MARCH)**
Report of the Director of Markets and Consumer Protection.
For Information
(Pages 27 - 44)
12. **DEPARTMENTAL BUSINESS PLAN: MARKETS AND CONSUMER PROTECTION**
Report of the Director of Markets and Consumer Protection.
For Decision
(Pages 45 - 80)
13. **MARKETS COMMITTEE RISK**
Report of the Director of Markets and Consumer Protection.
For Information
(Pages 81 - 86)
14. **SUPERINTENDENT'S UPDATES**
Superintendents to be heard.
For Information
15. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
16. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
17. **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

18. **NON-PUBLIC MINUTES**
To agree the non-public minutes of the meeting held on 23 January 2017.
For Decision
(Pages 87 - 90)
19. **RESOLUTION TO MARKETS COMMITTEE FROM ESTABLISHMENT COMMITTEE 14 02 17**
For Decision
(Pages 91 - 92)
20. **SMITHFIELD POULTRY MARKET, MAJOR REPAIRS PROJECT - POST GATEWAY 4 PROGRESS REPORT**
Report of the City Surveyor.
For Information
(Pages 93 - 98)

21. **DEBT ARREARS MARKETS - PERIOD ENDING 31ST MARCH 2017**
Report of the Director of Markets and Consumer Protection.
For Information
(Pages 99 - 108)
22. **TENANCIES AT WILL AND ASSIGNMENTS**
Report of the Director of Markets and Consumer Protection.
For Information
(Pages 109 - 112)
23. **NON PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
24. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

Agenda Item 3

PARMLEY, Mayor	RESOLVED: That the Court of Common Council holden in the Guildhall of the City of London on Thursday 27th April 2017, doth hereby appoint the following Committee until the first meeting of the Court in April, 2018.
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MARKETS COMMITTEE

1. **Constitution**
 A Ward Committee consisting of,
 - two Aldermen nominated by the Court of Aldermen
 - up to 31 Commoners representing each Ward or Side of Ward (two representatives for the Wards with six or more Members regardless of whether the Ward has sides).

2. **Quorum**
 The quorum consists of any nine Members.

3. **Membership 2017/18**

ALDERMEN

- 2 Sir Paul Judge
- 2 Professor Michael Raymond Mainelli

COMMONERS

1	Adrian Mark Bastow.....	Aldersgate
1	Richard Peter Crossan.....	Aldersgate
1	Andrien Gereith Dominic Meyers.....	Aldgate
9	Robert Allan Merrett, Deputy.....	Bassishaw
8	Michael Welbank, M.B.E.....	Billingsgate
1	Andrew Paul Mayer.....	Bishopsgate Within
1	Tom Sleigh, Deputy.....	Bishopsgate Without
7	Dr Giles Robert Evelyn Shilson, Deputy.....	Bread Street
1	Timothy Levene.....	Bridge and Bridge Without
8	John George Stewart Scott, J.P.....	Broad Street
2	Kevin Malcolm Everett, Deputy.....	Candlewick
4	Christopher Paul Boden.....	Castle Baynard
1	Angus Knowles-Cutler.....	Castle Baynard
4	Nicholas Michael Bensted-Smith, J.P.....	Cheap
1	Sophie Anne Fernandes.....	Coleman Street
5	Ian Christopher Norman Seaton.....	Cornhill
6	Stephen Douglas Quilter.....	Cripplegate Within
1	John Tomlinson, Deputy.....	Cripplegate Without
1	Thomas Alexander Anderson.....	Farringdon Within (S.S.)
1	Matthew Bell.....	Farringdon Within (N.S.)
1	Gregory Alfred Lawrence.....	Farringdon Without (N.S.)
5	Charles Edward Lord, O.B.E., J.P., Deputy.....	Farringdon Without (S.S.)
11	John Douglas Chapman.....	Langbourn
1	John William Fletcher.....	Portsoken
1	Brian Desmond Francis Mooney, Deputy.....	Queenhithe
9	James Richard Tumbridge.....	Tower
1	Rehana Banu Ameer.....	Vintry
1	Peter Gordon Bennett.....	Wallbrook

Together with three Members appointed in place of the three Wards (Cordwainer, Dowgate and Lime Street) not making appointments:

15	Joyce Carruthers Nash, O.B.E., Deputy.....	Aldersgate
1	Ruby Sayed.....	Farringdon Without (S.S.)

1 Oliver Sells, Q.C..... Farrington Without (S.S.)

4. **Terms of Reference**

To be responsible for:-

- (a) oversight of the management of all matters relating to Smithfield Market, Billingsgate Market and New Spitalfields Market and the letting of all premises therein;
- (b) the appointment of the Director of Markets and Consumer Protection (acting jointly with the Port Health and Environmental Services and Licensing Committees).

Committee(s):	Date(s):
Markets	10 May 2017
Subject: Appointment of the Reference Sub-Committee	Public
Report of: Town Clerk	For Decision
Report Author: Gemma Stokley, Committee and Member Services Officer	
<u>Summary</u>	
<p>The purpose of this report is to consider the appointment of your Reference Sub-Committee for the ensuing year and to approve its composition and Terms of Reference.</p>	
Recommendation(s)	
Members are asked to:	
<ul style="list-style-type: none">• Approve the Sub-Committee's composition and Terms of Reference; and• Appoint a Sub-Committee for the 2017/18.	

Main Report

Background

1. At its 23 January 2012 meeting, your Committee established a Reference Sub-Committee.
2. This Sub-Committee meets on an *ad hoc* basis to consider matters referred to it by the Grand Committee, with the power to act where appropriate and where granted by the Committee.
3. Each year, your Committee reappoints this Sub-Committee and is asked to reconfirm its Terms of Reference.
4. Expressions of interest to serve for the coming year will have been sought by the Town Clerk in advance of the meeting and Members are also able to stand for the Sub-Committee at the meeting itself.

Composition and Terms of Reference

5. The Membership of your Sub-Committee comprises the Chairman and Deputy Chairman and up to seven other Members.

6. At your May 2015 meeting, the Sub-Committee for 2015/16 was appointed as follows:
 - John Scott (Chairman)
 - James Tumbridge (Deputy Chairman)
 - Randall Anderson
 - Deputy Stanley Ginsburg
 - Michael Hudson
 - Deputy Jamie Ingham Clark
 - Edward Lord
 - Professor John Lumley
 - Deputy Joyce Nash
7. The Sub-Committee met once during 2016/17.
8. The Terms of Reference as previously agreed by your Committee are as follows:
 - a) *A Reference Sub Committee shall be appointed, consisting of the Chairman and Deputy Chairman and 7 other Members; with power to act being given, if necessary, when any matter is referred to the Reference Sub Committee for consideration.*
 - b) *The quorum for the Reference Sub Committee to be 3 members.*

Conclusion

9. Your Committee is therefore asked to consider the appointment of a Sub-Committee for the year ensuing and approve its composition and Terms of Reference.

Contact:

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MARKETS COMMITTEE

Monday, 23 January 2017

Minutes of the meeting of the Markets Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Monday, 23 January 2017 at 11.30 am

Present

Members:

John Scott (Chairman)	Michael Hudson
James Tumbridge (Deputy Chairman)	Deputy Jamie Ingham Clark
Randall Anderson	Edward Lord
Alex Bain-Stewart	Professor John Lumley
Nicholas Bensted-Smith	Wendy Mead
Deputy Michael Cassidy	Deputy Robert Merrett
Deputy John Chapman	Deputy Joyce Nash
Karina Dostalova	Patrick Streeter
Deputy Stanley Ginsburg	David Thompson
Tom Hoffman	Mark Wheatley

In Attendance

Officers:

Gemma Stokley	-	Town Clerk's Department
Julie Smith	-	Chamberlain's Department
Debbie Howard	-	Chamberlain's Department
Paul Hickson	-	Comptroller and City Solicitor's Department
Steven Chandler	-	City Surveyor's Department
Andrew Crafter	-	City Surveyor's Department
James Giffard-Taylor	-	City Surveyor's Department
Nicholas Sommerville	-	City Surveyor's Department
David Smith	-	Director of Markets and Consumer Protection
Julie Gibbs	-	Department of Markets and Consumer Protection
Malcolm Macleod	-	Superintendent, Billingsgate market
Ben Milligan	-	Superintendent, New Spitalfields Market
Mark Sherlock	-	Superintendent, Smithfield Market
Donald Perry	-	Department of Markets and Consumer Protection
Paul Spooner	-	Department of Markets & Consumer Protection

1. APOLOGIES

Apologies for absence were received from Dominic Christian, Alderman John Garbutt, Deputy Brian Harris, Ann Holmes, Oliver Lodge, Chris Punter, Adam Richardson, Ian Seaton and Angela Starling.

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

The Chairman declared a standing interest as a Member of the Board of Governors of the Museum of London, which was referred to in the non-publics minutes of the last meeting, at agenda item 13.

3. **PUBLIC MINUTES**

The public minutes of the meeting held on 30 November 2016 were considered and approved as a correct record.

4. **TERMS OF REFERENCE OF THE MARKETS COMMITTEE AND FREQUENCY OF MEETINGS**

The Committee considered a report of the Town Clerk concerning their terms of reference and frequency of meetings.

It was felt that the Terms of Reference should be amended to make it clear, in paragraph (a), that the Committee had oversight of the management of all matters relating to New Spitalfields Market, and in paragraph (b) to make it clear that this Committee acted jointly with the Port Health and Environmental Services and Licensing Committees on the appointment of the Director of Markets and Consumer Protection with no one Committee assuming the lead on this.

RESOLVED – That:

- a) the Terms of Reference of the Markets Committee be amended for submission to the Court, as follows:

To be responsible for:-

- (a) oversight of the management of all matters relating to Smithfield Market, Billingsgate Market and New Spitalfields Market and the letting of all premises therein;
- (b) the appointment of the Director of Markets and Consumer Protection (~~in consultation~~ acting jointly with the Port Health and Environmental Services and Licensing Committees); and
- b) Members agree that the frequency of meetings per annum be arranged in consultation with the Chairman, Deputy Chairman and the Director of Markets & Consumer Protection, in order for them to align this with the anticipated work programme for the year.

5. **APPOINTMENT OF CHAIRMEN OF SUB-COMMITTEES**

The Committee received a resolution of the Policy and Resources Committee, dated 15 December 2016, regarding the appointment of Chairmen to Sub Committees.

The Town Clerk confirmed that, for the Markets Committee, this convention would apply to the appointment of the Reference Sub Committee only.

RESOLVED – That, the Committee note the resolution.

6. MARKETS BUSINESS PLAN UPDATE PERIOD 2 2016/17 (AUGUST - NOVEMBER)

The Committee received a report of the Director of Markets and Consumer Protection providing Members with an update on progress for Period 2 (August-November) of 2016-17 against key performance indicators (KPIs) and objectives outlined in the Markets' Business Plan.

The City Surveyor reported that it was hoped that he would be in a position to instruct solicitors within a month regarding the revised terms agreed with advertising hoarding company ClearChannel at Billingsgate. The Committee therefore agreed to further delegated authority for the Town Clerk, in consultation with the Chairman and Deputy Chairman of the Markets Committee, to sign off on this matter. In response to questions, the City Surveyor confirmed that ClearChannel were existing tenants at the Market but were looking for a variation to upgrade their advertising equipment on site.

A Member questioned the better than budget position at the end of November 2016 and how much of this represented genuine savings versus deferring spending in certain areas. The Head of Business Performance reported that, at present, one post was being held vacant which had resulted in a salary saving of approximately £25k per annum. A total of £80k worth of maintenance work had also been delayed to date. It was, however, anticipated that the repairs and maintenance budget would be fully spent by the end of March 2017.

In response to a question regarding cases of long term sickness absence at Smithfield Market, the Head of Business Performance confirmed that the 6 cases referred to took place during either the 1st or 2nd reporting period and not over the whole of these two periods.

With regard to the draft Specification for the review of the City's wholesale markets, the Director informed the Committee that it was expected that the ITT would now be issued to industry in early February.

With regard to Filming/Photography at the Markets, the Chairman highlighted that HAAL Media Ltd had been charged £250 for filming at Billingsgate Market on Saturday 3 September 2017 but that this detail had been omitted from the report. The Deputy Chairman requested that Officers make it clear in all future reports where no charges had been made for filming/photography. The Superintendent of Billingsgate Market stated that, generally speaking, there were no charges made for filming of news items or for those affiliated with the Market/Industry, such as the promotional film for 'Seafish.org' which had been filmed towards the end of September 2016. A Member commented that, if no charges were made for these items, the Markets should at least ensure that they gained some publicity from them. The Superintendent of Billingsgate Market confirmed that publicity was discussed with those filming where possible but it was recognised that Officers did not have editorial control over the filming that took place on site. The Member disagreed with this approach and

suggested that this should be made a condition in future where no charges were made for filming/photography.

RESOLVED – That the Committee notes the contents of the report and its appendices.

7. **MARKETS COMMITTEE RISK**

The Committee received a report of the Director of Markets and Consumer Protection providing Members 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.

In response to questions, the Operations and Administration Manager reported that the target dates against risks were regularly reviewed. He highlighted that the actions taken against headline risks that were listed were either ongoing or had recently been completed.

RESOLVED – That, Members 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.

8. **HGV UNLOADING RISK REPORT**

The Committee considered a report of the Director of Markets and Consumer Protection concerning the Heavy Good Vehicle (HGV) Unloading Risk at Smithfield Market. The report was initially circulated as a non-public agenda item but, at the Chairman's request, and taking into account that it related to a red risk on the Markets Committee Risk Register, this was moved to the public agenda.

It was noted that, following the Committee's interest, the Smithfield Market Tenants' Association (SMTA) were being more positive in their level of co-operation regarding HGV Unloading – Banksman Activities.

The Operations and Administration Manager reported that the Freight Transport Association (FTA) audits conducted in 2015 and, more recently, in January 2017, had been paid for by the Market. The audit had looked at various aspects and had noted the progress made in certain areas. The full audit report was expected next month but initial feedback, based primarily on the actions developed following the 2015 audit, indicated that there had been some notable improvements with just one or two still left to progress further.

The Chairman requested that the final audit report be circulated to all Members of the Markets Committee via email once received.

RESOLVED – That, the partnership working approach is continued, subject to regular review of progress, and in the context of any further recommendations the FTA may make in the follow up audit.

9. **PEDESTRIAN SEGREGATION BARRIER - NEW SPITALFIELDS MARKET (NSM) - GATEWAY 7 OUTCOME REPORT**

The Committee received a report of the Director of Markets and Consumer Protection detailing the Gateway 7 Outcome Report for the Pedestrian Segregation Barrier at New Spitalfields Market.

The Chairman, on behalf of the Committee, congratulated the Superintendent of New Spitalfields Market on delivering the project under budget and on time.

A Member questioned whether stating that, with the installation of the barrier, 'pedestrians could no longer be struck by Fork Lift Trucks or loads carried in these areas' was overstating the case given that the barrier could always fail. The Chairman suggested that it should be noted that the installation of the barrier had, instead, minimised this possibility as far as is practicable.

RESOLVED – That, Members note the successful result.

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

The Committee received a report of the City Surveyor detailing the latest position on the City's trial to increase the operating temperature of Smithfield Market's Condenser Water Cooling System, which provides cooling to the Market Tenants' refrigeration equipment.

The Chairman highlighted that the full trial to increase the operating temperature had commenced on 18 October 2016 and not 2015 as stated in the body of the report.

In response to a question regarding the discharge of refrigerant gas referred to within the report and any legal implications this might have, the City Surveyor confirmed that the City, as landlord, wrote to remind tenants of their responsibilities regarding Health and Safety and the need to comply with relevant regulations. It was recognised that older equipment used by tenants might not comply with current regulations.

With regard to enforcement, the Comptroller and City Solicitor stated that the City could enforce as landlord and that, ultimately, offending tenants could be made to forfeit their lease.

RESOLVED – That, Members note the contents of the report.

11. **SUPERINTENDENT'S UPDATE**

The Chairman, on behalf of the Committee, took this opportunity to formally welcome the new Superintendent of Smithfield Market, Mark Sherlock, to his first Markets Committee meeting.

The Committee received oral updates from each of the Market Superintendents as follows:

Smithfield Market

The new Superintendent provided Members with some information as to his background and previous employment and reported that he was now just three weeks into his new role. He informed Members that he had spent his initial weeks undertaking tours of the market (including night visits) and had also taken time to meet with various tenants and SMTA representatives. In addition, he had met individually with key Officers in the Directorate.

He went on to inform the Committee that recruitment for a new Sergeant and Constable at the market was currently underway with interviews expected to take place in early February 2017.

In response to questions regarding the recruitment process, the Operations and Administration Manager reported that existing market constables were aware that they were able to apply for the role of sergeant and that this should be viewed as an opportunity for progression. This applied across the City Markets as well as within individual Market sites. He confirmed that one existing constable had, indeed, applied for the Sergeant post on this occasion.

Billingsgate Market

The Superintendent confirmed that tenants were going to withdraw their service charge to fund the Seafood School from 1 April 2017. The School were now planning to contact individual tenants regarding future contributions as well as further examining their own budgets. The Deputy Chairman suggested that funding for the Seafood School might be mentioned to those who used the Market for filming/photography free of charge in future, with the suggestion that they might like to make a contribution to this in lieu of any fee. The Chairman stated that he felt it would be a very retrograde step if the market were to lose the Seafood School on site. He requested a presentation on the issues currently faced by the School at the next meeting of the Markets Committee.

The Committee were informed that the member of staff involved in the long-term sickness case they had been advised of previously had started a phased return to work at the end of December 2016 and it was hoped that he would be back at work full time by the end of this month. The Superintendent commented that his return to work had been very positive to date.

The Superintendent reported that the Chairman of the Tenants Association continued to remain in hospital at the present time and was awaiting a transfer to a rehabilitation centre.

Finally, the Superintendent reported on a piece of market land currently occupied by Crossrail in relation to building work they had undertaken on Canary Wharf Station. The Market were now seeking the return of this land and were awaiting an official response on this by the end of the week. The Superintendent reported that the Market did have an intended use for the land going forward. In response to a question, the City Surveyor confirmed that Crossrail had paid the City to occupy this land.

New Spitalfields Market

The Superintendent reported that 'Dawsons' had been granted a tenancy at will to occupy 3,500 square foot on site which would generate an income of £22,000 per annum and also reduce the service charge for existing tenants. He commented that it would be extremely valuable service to have in the market where they would be able to repair forklifts on site as well as provide registry certification.

With regard to signage, the Superintendent reported that notices to prevent members of the public coming in to the market too early each day (before midnight) was now in place. He clarified that contact with HGVs and other large vehicles delivering goods was a particular concern at this time. He added that the market was currently using ANPR technology to identify the worst offenders and that fines of £100 could be issued to these individuals as an interim measure before barriers were put in place as a more permanent solution.

Finally, the Superintendent referred to smoking on site which was an ongoing problem. He confirmed that attempts to engage with Waltham Forest on this matter had been unproductive to date and so it was currently incumbent upon the City to enforce against this as best they could through the terms on tenants leases. At present, any member of staff caught smoking in any part of the market was issued with a £50 fine. A £100 fine could also be issued to those smoking at their stands at present as part of a compliance review.

12. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

There were no questions.

13. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

Retiring Chairman

The Chairman reported that this would be his last meeting in the Chair. He wished to publicly thank all Officers and Members for their hard work, support and guidance throughout his tenure.

14. 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
13	1, 2, 3 & 5
14-16	3
17	2
18	3
19	3, 5 & 7
20	1, 2 & 3

15. **NON-PUBLIC MINUTES**
The non-public minutes of the meeting held on 30 November 2016 were considered and approved as a correct record.
16. **BILLINGSGATE ROOF RENEWAL - FLAT ROOF - GATEWAY 7 - OUTCOME REPORT**
The Committee received a report of the City Surveyor detailing the Gateway 7 Outcome Report for the Billingsgate Roof Renewal – Flat Roof.
17. **SMITHFIELD POULTRY MARKET, MAJOR REPAIRS PROJECT - POST GATEWAY 4 - PROGRESS REPORT**
The Committee received a report of the City Surveyor detailing progress on the Smithfield Poultry Market Major Repairs Project, post Gateway 4.
18. **NEW SPITALFIELDS MARKET WASTE CONTRACT AWARD**
The Committee considered and approved a late, separately circulated, report of the City Surveyor concerning the contract award for the New Spitalfields Market Waste Collection.
19. **SMITHFIELD CAR PARK USAGE - CHRISTMAS 2016**
The Committee received a report of the Director of Markets and Consumer Protection providing car park data for December 2016 together with a brief analysis of the impact of the concessionary parking tariff.
20. **DEBT ARREARS MARKETS - PERIOD ENDING 31ST DECEMBER 2016**
The Committee received a report of the Director of Markets and Consumer Protection informing Members of invoiced income raised and outstanding as at 31st December 2016 from 31 days to 121+ days.
21. **TENANCIES AT WILL AND ASSIGNMENTS**
The Committee received a report of the Director of Markets and Consumer Protection on Tenancies at Will that have been granted at the City of London's Wholesale Markets and on lease assignments.
22. **NON PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
There were no questions raised in the non-public sessions.
23. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**
There were no urgent, additional items of business for consideration in the non-public session.

The meeting ended at 12.40 pm

Chairman

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Agenda Item 8

TO: **MARKETS COMMITTEE**

Wednesday, 10 May 2017

FROM: **POLICY AND RESOURCES COMMITTEE**

Thursday, 16 March 2017

4. **APPOINTMENT OF SUB-COMMITTEE CHAIRMEN**

The Committee considered a report of the Town Clerk concerning the process for appointing chairmen of sub-committees.

The Chairman stated that the purpose of a sub-committee was to deal with matters referred to it by its parent committee. It was noted that whilst the Policy and Resources Committee was responsible for governance, without a change to standing orders, its recommendation regarding the appointment of chairmen of sub-committees was on the basis of the adoption of a convention only. Detailed discussion ensued during which the following comments were made:-

- The Chairman advised that the resolution to committees from the December meeting aimed to set a convention which enabled the Chairman of a grand committee who did not wish to chair a sub-committee to identify and nominate for the role another Member with the necessary experience and qualities, for approval of that Committee. In the interests of clarity the initial resolution would have benefited from being circulated with the substantive report.
- Members questioned the need for the convention particularly given the different nature of some committees, for example some were quasi-judicial and therefore required a different approach.
- As the intention of the convention was to clarify the process it might be better for grand committees to set out its approach to appointments in its terms of reference.
- Rather than seeking the adoption of a convention, Committees should be provided with some general guidance instead. Without being too prescriptive, could also include reference to the length of time a chairman could serve. Several Members supported this.

RESOLVED: that the following guidance be given to all Grand Committees:

- 1. in the event of a Grand Committee having no prior arrangement or custom in place for the way in which the chairmen of its sub-committees are selected, it should be usual practice for the Chairman of the relevant Grand Committee, should they not wish to serve themselves, to nominate an individual to serve in that capacity for the approval of the Grand Committee; and**
- 2. that the term of office of a chairman of a sub-committee would usually be no longer than the term of office of the Chairman of the Grand Committee e.g. three, four or five years, subject to the relevant Grand Committee being able to extend the term of the sub-committee's chairman on an annual basis.**

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Committee: Policy & Resources Committee	Date: 16 March 2017
Subject: Appointment of Sub-Committee Chairmen	Public
Report of: Town Clerk	For Decision
Report authors: Simon Murrells, Assistant Town Clerk	

Summary

This report concerns the process for appointing chairmen of sub-committees. There is no hard or fast rule and Members felt that the rather ad-hoc approach taken by the various Committees would benefit from greater consistency across the board. In light of this, the Policy & Resources Committee decided that when a Chairman of a Grand Committee does not wish to be the chairman of a sub-committee, a convention is adopted whereby the Chairman submits his or her nomination for chairman of the sub-committee to the Grand Committee for approval. Where no specific Member is nominated by the Chairman of the Grand Committee, the selection process would be by election from all eligible Members of the Grand Committee.

This proposal was promulgated to the various Committees and was met with a mixed response. It was also discussed at the all-Member informal meeting on 9 February, with differing views being expressed. The Policy Chairman agreed that the issue should be reconsidered. To assist Members, set out are several options for Members to consider, including retaining the status quo, implementing the convention proposed by this Committee for Grand Committee Chairmen to nominate the chairman of the sub-committees, election of chairmen of sub-committees by the Grand Committee and election of Sub Committee chairmen by the sub-committee itself.

At the informal meeting of all Members in February, it was suggested that the introduction of term limits for chairmen of sub-committees should also be considered and the views of Members are sought on that matter.

Recommendations

It is **recommended** as follows:

- a) that further consideration be given to the implementation of a new convention for the appointment of chairmen of sub-committees, namely, when a Chairman of a Grand Committee does not wish to be the chairman of a sub-committee a convention is adopted whereby the Chairman submits his or her nomination for chairman to the Grand Committee for approval. Where no specific Member is nominated by the Chairman of the Grand Committee, the selection process would be by election from all eligible Members of the Grand Committee;

- b) that consideration be given to the introduction of term limits for sub-committee chairmen.

Report

Background

1. This report concerns the recent review of the process for appointing chairmen of sub-committees.
2. The current arrangements for selecting the chairmen of sub-committees is for that to be determined by the relevant Grand Committee and quite often it can be the Chairman of the Grand Committee who takes on the responsibility, depending on circumstances. If not, it is usual practice for the sub-committee to decide, most often by election from amongst its membership. There is no hard or fast rule and Members felt that the rather ad-hoc approach taken by the various Committees would benefit from greater consistency across the board
3. In light of this, in December 2016 the Policy Committee proposed the introduction of a convention for the selection of sub-committee chairmen to ensure consistency across all Committees. The convention provides that, when a Chairman does not wish to be the chairman of a sub-committee and wishes a specific member to be appointed, the Chairman shall submit his or her nomination for chairman to the Grand Committee for approval. A resolution to that effect was circulated to all relevant Committees asking for the convention to be endorsed.
4. The Policy Committee based its decision on the following principles:
 - it should be accepted practice for the Chairman of a Grand Committee to chair any Sub-Committee appointed by it;
 - where the Chairman of a Grand Committee does not wish to chair a sub-committee, the Chairman should be able to nominate another Member of the Grand Committee with the necessary experience and qualities, for approval to fulfil that role; and
 - where no specific Member is nominated by the Chairman of the Grand Committee, the selection process would be by election from all eligible Members of the Grand Committee.
5. The Chairman of the Finance Committee was particularly supportive of the P&R recommendation. Under his Chairmanship of Finance, he has been able to propose and to gain support for some significant changes in the way sub-committees operate and who chairs them. These changes have enabled more Members to play a more valuable part in, and to contribute to, the Committee's overall work, whilst also recognising that sub-committees should be servants of the Grand Committee's policies and priorities. Any changes should not get in the way of these two objectives.

6. It was noted at the informal meeting that the Policy & Resources Committee would take another look at the position. In addition, several Members asked for consideration to also be given to whether terms limits should be introduced for Chairmen of sub-committees, as they are for Chairmen of Grand Committees.

Options for Chairmanship of sub-committees

7. There are several options open to Members to consider for how Chairmen should be selected for sub-committees, including the following:
 - i) Retain the status quo. Currently, a Grand Committee has the option of choosing who should take the chair of a sub-committee that it appoints. In a number of cases that is the Chairman of the Grand Committee but not always. Grand Committees can also decide to leave such matters to the sub-committee who usually select their Chairman through a process of election. This has been the position for a number of years.
 - ii) Adopt the convention agreed by the Policy & Resources Committee in December, as described in paragraphs 3 and 4 above. This provides for a process whereby the Chairman of a Grand Committee does not wish to chair a sub-committee and has instead identified another Member for that role with the necessary experience and qualities. In those circumstances, the Chairman would submit his or her nomination to the Grand Committee for approval. Where no specific Member is nominated by the Chairman of the Grand Committee, the selection process would be by election from all eligible Members of the Grand Committee who would nominate themselves.
 - iii) Grand Committees to appoint all sub-committee chairmen. In this case, when sub-committees are appointed (which they are annually), the Grand Committee would be asked to decide at that stage who should take the chair. This could be the Chairman of the Grand Committee or by inviting eligible Members of the Grand Committee to nominate themselves, followed by an election if there is more than one candidate.
 - iv) Sub-committees to appoint their own chairmen. In this case, the question of chairmanship would be left entirely to the sub-committee to decide, usually by election. Whilst this is an option, it should be noted that there are a number of sub-committees where Members may consider it appropriate, because of the nature of the business ie: it is sensitive or strategic, for the Chairman of the Grand Committee to be the chairman. In those circumstances, imposing such a rigid rule may not serve the City Corporation's best interests as it does not allow for any flexibility.
8. It should also be noted that the Chief Commoner automatically chairs several sub-committees including the Privileges Sub-Committee.

Term Limits

9. At the informal meeting of all Members reference was made to the possibility of introducing terms limits for chairmen of sub-committees. Currently there are no restrictions on the number of terms (or years) that a Member can serve as chairman of a sub-committee as there are for Grand Committees (there are, however, conventions affecting the chairmanship of the Property Investment Board, Financial Investment Board and Social Investment Board, all of which report directly to the Court of Common Council). Standing Orders provide for the Chairmanship of most Grand Committees to be no more than three years with three exceptions - the Policy & Resources and Finance Committees where the term is a maximum of five years and the Police Committee where the term is no more than four years.
10. Members' views are sought on whether term limits should be introduced for chairmen of sub-committees and, if so, what the term should be eg: three years. If Members decide to introduce a term limit, it would be prudent, where the Chairman of the Grand Committee chairs the sub-committee, for any limit to correspond with the term of chairmanship of the relevant Grand Committee.
11. Members should bear in mind that in a number of cases sub-committees are appointed to give more detailed consideration to certain topics and, over time, chairmen can develop an expertise and considerable knowledge of the area. This does, however, need to be balanced against the need for others to be given opportunities to serve and to bring fresh skills and experience to the work of the sub-committee. The loss, through the imposition of a term limit, of an experienced chairman does not necessarily mean that individual and their knowledge of a particular topic need be lost to the sub-committee.

Conclusion

12. The proposed convention agreed by the Policy & Resources Committee for appointing chairmen of sub-committees has been met with mixed views and at the recent informal meeting of all Members it was noted that the Committee would look again at the matter. This report asks Members to review the position and sets out some options that could be considered. It also asks Members for a view on whether a term limit should be introduced for chairmen of sub-committees and, if so, what that term should be.

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Committee(s): Markets	Date: 10 May 2017
Subject: Smithfield Market – Condenser Water Cooling System - Update	Public
Report of: The City Surveyor (Report no. CS193/17)	For Information
Report author: Andrew Crafter, Principal Engineer, City Surveyor's Department	

Summary

Since the last report the cooling system temperature trial has continued and shown that most fridges can operate with condenser cooling water at 25°C at this time of year. However, there are signs of some fridges suffering stress at this temperature, exhibiting high refrigerant pressure. Since 4 April the temperature has been set at 23°C.

The City's condenser water pumps are due to be replaced within the next two months. Once in use, water flows in the system will be higher, and flow rates to fridges with continuing issues will be re-checked. The operating temperature will also be reset to 25°C. The City will continue to monitor the system closely and discuss any on-going issues with the respective fridge maintenance contractors.

Regulations relating to the unintentional release of refrigerant gases from fridges under fault conditions have been investigated by Officers and appear to be a breach of the 2015 Fluorinated Gas Regulations. Further advice is being sought from the Environment Agency and Tenants are being reminded they have a duty to comply in full with the regulations. Subject to agreement with the Environment Agency, the City also proposes to check Tenants' fridge maintenance records.

Recommendation(s)

Members are invited to note the contents of this report.

Main Report

Background

1. The Market's condenser water cooling system removes waste heat from 120 tenants' refrigeration units in East, West and Poultry Markets and dissipates it to the atmosphere via five cooling towers located in the Poultry Market. The system is operated and maintained by the City Corporation as Landlord.
2. In 2014 the City Corporation completed a programme of works to improve the water circulation in the three Market buildings and remove dirt contamination in the system. As a result performance has significantly improved.
3. The cooling system was originally specified to provide water to Tenants' fridges at 30°C. Over the years this was gradually reduced and for approximately five years has been set at 20°C. This was done to assist fridges at a time when there were issues with water flow, dirt contamination, system balancing, and Tenants' condenser under-sizing. Following completion of its remedial works, the City has increased the temperature to reduce its operating costs and the risk of cooling tower breakdown and is currently undertaking a trial to evaluate the impact of the higher operating temperature, if any, on Tenants' fridges.

Current Position

4. The final increase in the temperature of the cooling system to 25°C was applied on 31 January 2017. The system was maintained at this temperature until 4 April 2017. Following comments from one of the Tenants' refrigeration maintenance contractors, it was reduced on this date to 23°C in order for the effect on two fridges to be assessed (see paras 7-10). It remains at this temperature pending replacement of the City's pumps.

Incidents since last report

5. Following the failure of the West Market condenser water duty pump on 23 November 2016, covered in the last report, the pump and controls were tested on 12 January by the City's controls specialist, and appeared to be satisfactory. However the same pump tripped again on 15 March, with the standby pump brought into service to maintain the flow. As the standby pump produces a lower flow, the original pump was restarted the following day, and has run satisfactorily since then.
6. On 1 March a leak in condenser water pipework at the end of south-west 1st floor fridge deck occurred. This was found to be due to corrosion. The Market maintenance team isolated the pipework concerned and were able to complete a repair within four hours. Fridges in that quadrant had to be shut down but as it was outside market trading hours, there was negligible impact of fridge temperatures.

System temperature issues

7. The SMTA gave their view in January that fridge problems start to occur with water at 24-25°C. Comments were also received from two of the Tenants' fridge maintenance contractors. One made general observations that the higher operating temperature was forcing fridges to work harder. This would not be unexpected.
8. The other advised that two of their fridges were experiencing high refrigerant pressure and consequently it had been necessary to remove refrigerant from the systems. The City checked the water flowrates to both fridges which were found to be low in one case (an Absalom & Tribe chiller) and normal in the other (a P J Kilby chiller). The former has always had a low flow and is assumed to have a high hydraulic resistance.
9. In order to check the effect of water temperature on refrigerant pressure, the City agreed to a request to reduce the temperature to 23°C. The maintenance contractor advised that this had a beneficial effect (reducing refrigerant pressure from 280 to 250 pounds/inch²) on both units.
10. As the City's pumps are being replaced within the next two months with higher capacity pumps, it was decided to leave the temperature at 23° and re-check flow rates once the change has been completed.

Investigation into refrigerant gas releases

11. As explained in the last committee report, in November 2016 three fridges in West Market discharged refrigerant gas to atmosphere when the City's pumps failed. The type of gas is from the hydrofluorocarbon (HFC) family which have a high Global Warming Capacity and are subject to increasingly stringent controls. The Fluorinated Gas Regulations 2015 (superseding a 2006 version) are aimed at reducing the release of such gases, and impose a duty on all owners and operators of refrigeration equipment to minimise the release of gases to atmosphere; use only trained technicians for any work carried out; check for leaks at specified intervals, keep full records of any refrigerant added and undertake mandatory checks, making records available for inspection by authorities, and recover any gas when disposing of equipment.
12. The incidents which occurred at the Market have been discussed with the Superintendent and Environmental Health Assistant Director. The City has also established contact with the Environment Agency to obtain further advice. The Environment Agency is the regulatory body for the Fluorinated Greenhouse Gases (F-gas) and the Ozone Depleting Substances (ODS) Regulations in England.
13. The Agency has confirmed the regulations include an obligation for operators of equipment to take precautions to prevent the unintentional release of those gases, and to take all measures which are technically and economically feasible to minimise leakage. The City has requested further details of the penalties that would be applicable in the event of breaches of these requirements, and clarification of which party is responsible for enforcement.

14. The City has drafted a letter to be sent by the Superintendent to all Tenants drawing attention to the regulations, reminding them of their responsibilities in this area and informing them it intends to carry out an inspection of their records.

Further work planned

15. West and East condenser water pumps (also East heating and chilled water pumps) and their associated control panels are being replaced as a project within the Additional Works Programme. The condenser water pumps will be updated to provide greater flow. A contract for the work has been let to W G Wigginton Ltd, one of the City's framework contractors, and the new condenser water pumps should be in operation by June.

Proposals

16. The temperature trial has shown that most fridges can operate with condenser cooling water at 25°C at this time of year. However, some fridges show signs of stress at this temperature, exhibiting high refrigerant pressure.
17. Once the pumps have been replaced, it is intended to reset the temperature back to this figure, re-measure flow rates, and review any on-going fridge issues. The City will again encourage Tenants to replace any fridge condensers considered undersized.
18. The City will write to Tenants about the refrigerant regulations and contact their maintenance contractors to review their records.

Corporate & Strategic Implications

19. The system supports the meat trade at Smithfield Market and the following Strategic Aims:
 - To provide modern, efficient and high quality local services and policing within the Square Mile for workers, residents and visitors with a view to delivering sustainable outcomes.
 - To provide valued services to London and the nation.

Implications

20. The cooling system operated by the City provides a critical service for Tenants' refrigeration equipment. A failure of the system could potentially expose the City to claims from Tenants for loss of product.

21. Operating the system at a higher temperature will reduce strain on the City's cooling towers and the risk of breakdown, as well as reducing operating costs. Whilst Tenants' fridges will have to run slightly longer, consuming more power, 25°C is felt to be a reasonable compromise, and should be within their technical specification. It appears that two fridges operate under stress at this temperature, and possibly more.
22. The unintentional release of refrigerant gas from fridges to atmosphere would appear to be a breach of the 2015 Fluorinated Gas Regulations, and Tenants responsible for incidents where this occurs may be liable to penalties. Further advice is being sought from the Environment Agency on the penalty regime.

Conclusion

23. The temperature trial has shown that most fridges can operate with condenser cooling water at 25°C at this time of year. Some fridges are showing signs of stress at this temperature. In at least one case there is a low water flow.
24. The City's condenser water pumps are due to be replaced within the next two months. Once in use, water flows in the system will be higher, and flow rates to fridges with continuing issues will be re-checked. The higher flows may alleviate previous fridge problems. The City will continue to monitor the system closely and discuss any on-going fridge issues with the respective fridge maintenance contractors.
25. Regulations relating to the unintentional release of refrigerant gases from fridges under fault conditions have been investigated by Officers and are considered a breach of the 2015 Fluorinated Gas Regulations. Further advice is being sought from the Environment Agency on the penalty regime.

Background Papers

Report of the City Surveyor 'Smithfield Market – Condenser Water Cooling System – update' to Markets Committee, January 2017 (Report ref. CS015/17).

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Committee:	Date:
Markets	10 May 2017
Subject: Markets Business Plan Update Period 3 2016/17 (December – March)	Public
Report of: Director of Markets and Consumer Protection	For Information
Report author: Don Perry - Department of Markets and Consumer Protection	

Summary

This report provides an update on progress for Period 3 (December-March) of 2016-17 against key performance indicators (KPIs) and objectives outlined in the Markets' 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:

General

- At the National Association of British Market Authorities (NABMA) one day conference in January, Andrew Percy, Minister for Markets, announced that NABMA has been given a seat on the Future High Street Forum Executive Board. This position will mean that markets will remain at the heart of the Government's agenda.
- The procurement exercise to appoint a consultant to carry out the strategic review of the City's three wholesale markets has closed and bids are now being evaluated. It is expected that work on the review will begin in June 2017. The Review will be completed by March 2018 and a report will go to Markets Committee on the findings of the review in May 2018.

Billingsgate

SBR (Service Based Review) commitments:

- Income from the car park remains healthy with £430k of income forecast as the outturn income for 2016/17.

General activities

- Billingsgate Code of Practice is in place; **Page 27** previous enforcement of the code is

required, especially around cleaning standards.

- The Roof project and the Additional Fish Handling Facilities project are on hold and are to be cancelled. The tenants, through the London Fish Merchants Association (LFMA), do not wish the Additional Facilities project to proceed.

Smithfield

SBR (Service Based Review) commitments:

- The outturn report for the car park shows that budgeted income has been exceeded by £160k.
- The letting of four units in the Poultry Market is expected to be concluded shortly. The delays in these lettings have been caused by extended negotiations of City access rights for one specific tenant and waiting for other prospective tenants to provide fit-out costs.

General activities

- The Superintendent has started the review of the Working Manual and will arrange a consultation meeting with the FSA, and the SMTA.
- Freight Transport Association (FTA) have produced a second report on improving Loading Bay, Banksmen Activities, Trading Operations and Traffic Management at Smithfield Market and a meeting with the SMTA to discuss the action plan is planned.

Spitalfields

General activities

- The lease renewal is now complete and Heads of Terms were sent out in March 2017.
- The Working Manual has now been signed off and is in use.
- The multi barrier entry system specification was finalised in March and is with the City Procurement department, who are awaiting confirmation from Comptroller and City Solicitor's department to agree planning rights before they can proceed with the tendering process.

Finance

At the end of February 2017, the Department of Markets & Consumer Protection was £309k (48.5%) underspent against the local risk budget to date of £637k, 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 £330k (21.1%) for his City Fund and City Cash services.

Main Report

Background

1. The 2016-17 Markets Business Plan sets out five Key Performance Indicators (KPIs) and 20 Key Improvement Objectives against which the Markets performance will be measured throughout the year.
2. The KPIs and objectives are updated in Appendix A.

Current Position

3. To ensure that your Committee is kept informed of progress against the current business plan, progress against KPIs (Appendix A) and matters of general interest (Appendix B), financial summary (Appendix C) are reported on a periodic (three-monthly) basis, along with sickness statistics (Appendix D). This approach allows Members to ask questions and have a timely input on areas of particular importance to them. Members are also encouraged to ask the Director for information throughout the year.
4. Periodic progress is also discussed by Senior Management Groups (SMG) to ensure any issues are resolved at an early stage.

Financial and Risk Implications

5. The end of February 2017 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 £309k (48.5%) against the overall local risk budget to date of £637k for 2016/17.
6. Overall the Director of Markets & Consumer Protection is currently forecasting a year end underspend position of £330k (21.1%) 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 Approved Budget £'000	Forecast Outturn £'000	Variance from Budget +Deficit/(Surplus)	
			£'000	%
City Fund	47	38	(9)	(19.1%)
City Cash	1,518	1,197	(321)	(21.1%)
Total Markets Services Local Risk	1,565	1,235	(330)	(21.1%)

7. 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.
8. The better than budget position at the end of February 2017 relates mostly to Smithfield

Market due to salary savings on vacant posts; delays in the commencement of projects/maintenance of agreed carry forward budget works; reductions in the estimated unit price of energy; and additional income from non-capped leases and additional car park income mainly relating to increased usage levels.

9. The favourable variance to date has been partly offset by increased energy consumption at Spitalfields Market relating to the mezzanine floor areas.
10. 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. The full year end figures will be reported separately by the Chamberlain as part of the outturn report to Committee.

Recommendation:

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

Appendices

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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APPENDIX A

2016-2017 Progress against Markets Business Plan

This Report aims to bring Members up to date on progress in achieving the objectives set out in the annual Business Plan for the 3rd period in 2016/17 (December– March inclusive).

To end of Period 3 (August - November)			Total days lost for Year (1 st April 2016-31 st January 2017)	
			Target for period April 2016 – January 2017	Actual (April 2016 – January 2017)
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 678 days across all markets ¹ .	Billingsgate	200	494
		Smithfield	189	480
		Spitalfields	150	194
		Directorate	26	4
		Total	565	1172
Comments: The sickness figures presented only cover the period 1 st April 2016 – 31 st January 2017. This is due to a technical fault with the HR system for recording sickness statistics. Sickness absence is significantly in excess of target, especially at Billingsgate and Smithfield Markets where several long-term cases have contributed to the high volume of sickness days. Appendix D illustrates the sickness trend over the period. There has been a reducing trend in long-term absences since the report to January's Committee.				
MKP2	90% of debts to be settled within 60 days and 100% of debts settled within 90 days.		60days	90days
		Billingsgate	96%	100%
		Smithfield	100%	100%
		Spitalfields	96%	96%
Comments: Spitalfields - 61-90 days debt of £3,083.98, relates to 6 debtors all of which are being pursued locally at the Market.				
MKP3	Divert 90% of waste from landfill at the Markets	90%	Billingsgate	100%
			Smithfield	100%
			Spitalfields	100%
MKP4	Achieve 95% occupancy of all lettable space at Billingsgate, Smithfield and New Spitalfields Markets.	95%	Billingsgate	98%
			Smithfield	90%
			Spitalfields	100%
Comments: Smithfield - a number of pending lettings within the Poultry Market have been delayed due to continuing correspondence on reservation rights for the occupancy of a new tenant. The first of these has now been resolved and it is expected the remainder will be concluded in the next quarter.				

Target based upon Full Time Equivalent (FTE) members of Markets staff at 31 March 2015 (no. 120).

MKP5	Improve the standard of incident reports, ensuring all information and evidence is gathered thoroughly and documented. All reports to be completed within 3 days following the reporting of an incident.		Billingsgate 100%
			Smithfield 100%
			Spitalfields 100%

1	<p><u>Customer and Stakeholder Focus.</u> <i>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.</i></p>	
	<p><u>Billingsgate Market</u> 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.</p>	<p>●The updated code of practice is in place; more rigorous enforcement of the code is now required. The cleaning standards of some tenants need to be challenged, particularly in the Market Hall. Tenants will be required to ensure that their stands/shops are swept clean of all food remains and debris at the end of each trading day. It is important to maintain hygiene standards that will not encourage pests. Formal written communications to specific tenants with deadlines for action are to be used to enforce the clean state requirement.</p>
	<p><u>New Spitalfields Market</u> Complete and implement the 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.</p>	<p>●The Working Manual is now complete and is in use as a working document.</p>
	<p><u>Smithfield Market</u> Review the Working Manual and have an updated copy agreed and signed by 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.</p>	<p>●The new Superintendent has started a review of the Working Manual and will schedule review meeting with the Food Standards Agency (FSA) in the near future, followed by a meeting with the Smithfield Market Tenants' Association (SMTA) to progress this document. It is anticipated that a revised Working Manual will be in place by June 2017.</p>
	<p>Initiate a comprehensive strategic review of the City's three wholesale markets – including transport needs and location. ●A report to Markets Committee on the proposed way ahead for the City's Markets.</p>	<p>●The procurement exercise to appoint a consultant to carry out the strategic review of the City's three wholesale markets has closed and bids are now being evaluated. It is expected that work on the review will begin in June 2017. ●It is anticipated that the Review will be completed by March 2018 and that a report will go to Markets Committee on the findings of the review in May 2018.</p>

2	<p><u>Finance.</u> <i>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.</i></p>	
	<p><u>New Spitalfields Market</u> Manage the lease renewals in collaboration with City Surveyor's department. ●Successful completion of the lease negotiation process.</p>	<ul style="list-style-type: none"> ●The lease renewal is now complete and Heads of Terms were sent out in March 2017.
	<p><u>Smithfield Market</u> Agree service specifications with the SMTA under the terms of the current leases. ●The work of the Joint Specification Committee will be completed, with specification agreed for all services that are provided to our tenants including: Security, Cleaning, Maintenance, Administration, Condenser Water, Waste and Electricity (common parts).</p>	<ul style="list-style-type: none"> ●The work of the Joint Specification Committee (JSC) in establishing specifications for the services at the market is coming to a conclusion. ● Specifications have been implemented for all the operational areas. ●The provision of administration services is being referred to the Joint Review Group (JRG) to establish the correct proportion of the cost that can be allocated to the service charge. ●The Joint Review Group (JRG) regularly convenes to agree service charge costs in accordance with the Lease terms.
	<p><u>Billingsgate & Smithfield Markets</u> Implement Service Based Review (SBR) proposals. ●Billingsgate – Pursue opportunities to increase income from commercial car parking ●Smithfield – The seven vacant meat trading premises in the Smithfield Poultry Market will be let, and income opportunities maximised.</p>	<p><u>Billingsgate:</u></p> <ul style="list-style-type: none"> ●The proposed new advertising hoardings lease with Clearchannel, which will increase the annual rent by some £125k £per annum, is anticipated to be finalised in the near future. ●Income from the car park remains healthy with £430k of income forecast as the outturn income for 2016/17. ●Demand for car parking spaces has been reducing and there is no longer a waiting list. There has been a high turnover of customers due to the nature of some employment at Canary Wharf and businesses relocating their staff. ●Parking charges are reviewed annually from 1st April and for this year's review, daily parking charges remain unchanged at £10, an increase of 2.5% has been applied in respect of monthly permits and a 2% increase for quarterly and annual permits. The Director of M&CP has approved these charges under delegated authority. <p><u>Smithfield:</u></p> <ul style="list-style-type: none"> ●The letting of four units in the Poultry Market is expected to be concluded shortly. The delays in these lettings have been caused by extended negotiations over access rights for one specific tenant and waiting for other prospective tenants to provide fit-out costs. These negotiations should be concluded in the next quarter with minor

		<p>impact on expected realisations.</p> <ul style="list-style-type: none"> ●The outturn report for the car park shows that budgeted income has been exceeded by £160,000.
3	<p>Operations and Business Processes. <i>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.</i></p>	
	<p><u>Billingsgate Market</u> Renew the metal roof and adjacent balcony. <ul style="list-style-type: none"> ●Safer roof and compliance with the food hygiene regulations. </p> <p><u>Billingsgate Market</u> Additional Fish Handling facilities, modernisation works. <ul style="list-style-type: none"> ●Increased capacity for fish handling transit areas. Tenants will have adequate temperature controlled building space to safely handle each day's fish volumes. </p>	<ul style="list-style-type: none"> ●The Roof project and the Additional Fish Handling Facilities project are on hold and are to be cancelled. The tenants, through the London Fish Merchants Association (LFMA), do not wish the Additional Facilities project to proceed. ●To address the corrosion problem on the roof a stock of spare roof panels is being kept locally, so that in the event of roof leaks, panels can be quickly replaced if necessary. There have been no leaks recently. ●The LFMA accept, albeit reluctantly, that Billingsgate will remain on its current site for at least the next 10 years, and will work constructively with the Superintendent to agree the improvement works that are required to ensure that Billingsgate facilities remain suitable over that period. The LFMA have written to the City requesting that the rules surrounding the use of the Billingsgate Sinking Fund be relaxed so that the Fund is more readily available to finance improvements works. There is some £1.8 million in the Sinking Fund and also opportunities to apply for matched funding from fishing industry grants. This means that there could be a potential £3.6 million of funds available to improve the Billingsgate infrastructure. ●The roof project and Additional Facilities project would have probably exhausted the Sinking Fund. A multiplicity of smaller enhancement projects is now the likely way ahead.
	<p><u>New Spitalfields Market</u> Improve safety in relation to workplace transport operations in and around the Market Hall with a focus on forklift truck manoeuvres. <ul style="list-style-type: none"> ●The Pedestrian Segregation Action will be fully implemented, reducing the risk of accidents and near misses. </p>	<ul style="list-style-type: none"> ●Completed - a full waist-height barrier on one side of the market "fire path" has been installed to stop FLT's coming in to contact with pedestrians, with a low level barrier on the other side to prevent FLT's hitting the fences surrounding the market stands.

	<p><u>Smithfield Market</u> Continue with the project to refurbish the Poultry Market roof. ●Roof repairs complete and all historic repairs for the building completed.</p>	<ul style="list-style-type: none"> ●The Poultry Market - electrical shutdown and survey was carried out on 19th April and all went to plan. Due to delays in concluding structural and electrical testing, the City has postponed scaffold works until there is a firm cost offer. This has extended completion from June 2018 to Sept 2018. ●Members will receive a separate 'Poultry Market Major Repairs Project Up-date Report' from the City Surveyors at the May Markets Committee.
	<p><u>Smithfield Market</u> Implement the action plan, agreed with the SMTA, to control the risks associated with HGV Banksmen duties. ●The health and safety risk associated with Banksmen duties will be controlled and the target risk status Amber achieved.</p>	<ul style="list-style-type: none"> ●The Freight Transport Association (FTA) have produced a second report on improving Loading Bay and Banksmen Activities, Trading Operations, and Traffic Management at Smithfield Market. A meeting with the SMTA to discuss the action plan is to be scheduled. The Superintendent is pressing the SMTA for a suitable date. ●A four-night audit was undertaken by Market Security staff in February to ascertain current implementation of banksman duties by tenants. The audit revealed 8% of all lock-on movements were un-supervised by a banksman, with 10% being supervised by a driver operative. The results of the audit have been shared with the SMTA for the development of improvement initiatives which will fall within the scope of the FTA report. ●More recently, improvements have been evident. A second four-night audit is planned for early May, after consultation with the SMTA, to ensure a consistent robust application of the required tenant duties combined with regular reviews of performance with this obligation. ●The Superintendent has written formally to the relevant transport companies that send deliveries of meat to the market, reminding them of operational regulations and protocols which must be observed without exception.
	<p>Review our property holdings with City Surveyors Department to ensure that we do not occupy buildings and land in excess of our identified operational need, in accordance with Standing Order 55. ● That our property holdings are appropriate for our operational needs and future needs.</p>	<ul style="list-style-type: none"> ●Markets property holdings are reviewed annually with the City Surveyor and were subject to an in depth review in 2014 as part of the Service Based Review (SBR), from which property-related rental opportunities were identified. The department's property holding were also included in the City's Operational Property Review in 2015.
	<p>Provide input to the renewal of the corporate BRM contract. Work with the City Surveyor, through end-user workshops, to develop the technical specification and individual Site Data Packs for each of our sites. ● A specification for the new BRM contract that meets</p>	<ul style="list-style-type: none"> ●This action is now complete. Heads of Maintenance at each Market contributed to the preparation of site data packs, to ensure that the specification for the next BRM Contract meets the Markets' operational requirements. ●The New Spitalfields Superintendent was on the Building Repairs and Maintenance

	the requirements of the three Market sites.	evaluation panel.
	<p>Risk Management</p> <ul style="list-style-type: none"> ●Complete transition of all M&CP business risks on to the Covalent database. All risks, both departmental and local, to be migrated on to the system and Risk and Action Owners to be able to update the system as necessary. ●Populate the Covalent system with M&CP Top X risks. Top X risks to be migrated on to the system and Risk Owners to be able to update the system as necessary. 	<ul style="list-style-type: none"> ●All identified Markets Business risks and Top X risks have been entered onto the Covalent database. ●The department's Covalent Superuser is the only person with access to enter new risks onto the system, but once risks have been added, the individual Risk Managers can then amend and update them as necessary. ●All Risk Managers have been trained on the use of the Covalent browser system.
	<p><u>New Spitalfields Market</u></p> <p>Investigate options for a multi barrier entry system to the market.</p> <ul style="list-style-type: none"> ●Improve access and traffic management into the Market. Income from entry charge to offset 20 year plan. 	<ul style="list-style-type: none"> ●The multi barrier entry system specification was finalised in March and is now with City Procurement, who are awaiting confirmation from the Comptroller and City Solicitor's department to agree planning rights before they can proceed with the tendering process.

4	<p>People and Innovation.</p> <p><i>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.</i></p>	
	<p>Implement the priorities outlined in the Departmental Workforce Plan.</p> <ul style="list-style-type: none"> ●Our workforce will have both the capability and resources to meet the markets' business objectives. 	<ul style="list-style-type: none"> ●The Departmental Workforce Planning Group is being refreshed and a new Chair has been appointed to implement the priorities that will be outlined in the Departmental Workforce Plan.
	<p>Senior managers to review and implement all relevant actions in the M&CP liP Business Improvement Plan and work towards providing evidence for the relevant indicators to achieve the Gold liP Standard.</p> <ul style="list-style-type: none"> ●The markets will contribute towards the corporate stretch target of attaining the Gold liP Standard in 2016. 	<ul style="list-style-type: none"> ● It was decided by the Summit Group to put on hold working towards attaining the Investors in People Gold level until 2018. A mid-term review at the 18 month stage needs to be undertaken if we are to maintain our 'Silver' accreditation. This will be a light touch review with one day on site and written evidence reviewed. This review will take place on 7th and 8th June 2017.

	<p>Work with IT Department to identify options for mobile working at the markets.</p> <ul style="list-style-type: none"> • Greater efficiency and effectiveness of security operations in monitoring Health and Safety incidents and breaches of local operational rules. 	<ul style="list-style-type: none"> • Stand inspections at Spitalfields Market are now carried out on tenants' stands using a mobile device with a proprietary auditing application. The software allows photographs to be taken as part of evidence gathering and enables reports to be created automatically; the auditing software is designed to support inspection findings. • The use of this software for enforcement activity at the other two Markets is to be explored.
	<p>Deliver a Leadership Development Programme for a cohort of 10-12 current and future managers. (Linked to Corporate Equalities priority within the Equalities and Inclusion Action Plan 2016)</p> <ul style="list-style-type: none"> - Delegates will be able to: <ul style="list-style-type: none"> - Lead effectively in times of constant change. - Think strategically and see how strategies can be actioned through effective planning and implementation. - Develop their skills as flexible, agile and resilient managers. - Recognise issues key to the City and adapt team priorities and performance to address them. 	<ul style="list-style-type: none"> • The Leadership Development Programme 2016/17 was successfully delivered for 16 people at the Assistant Director and Team Leader level with the specific aim of encouraging them to find different ways of thinking about leading their areas of business. • The programme will be repeated in 2017/18 with a further group of staff, drawn from a wider range of grades from across the department. The first workshop of this programme was delivered in March 2017.

Matters of General Interest to the Committee**Billingsgate Market****Visitors**

No Visits

Filming/photography

<u>December 2016</u>		<u>Activity</u>	<u>Fee Received</u>
	Tuesday 6th	Photography for personal use	No
		Photography for personal use	No
	Saturday 10th	Photography for personal use	No
		Photography for personal use	No
<u>January 2017</u>			
	Thursday 5th	D&D London – Filming for promotional video for restaurant	No
	Friday 6th	Weiming Westminster Productions – Filming Chinese Celebrities buying ingredients for a challenge	£500 + VAT
	Saturday 7th	Photography for food blog	No
	Wednesday 18th	Photography for personal use	No
	Friday 20th	Friday 20th – Caviar London Limited – Filming for music video	£250+VAT
<u>February 2017</u>			
	Thursday 9th	Wandsworth Young Chef – Filming for competition	No
	Saturday 11th	Photography for personal use	No
	Tuesday 14th	Photography for personal use	No
		Photography for personal use	No
	Thursday 16th	True North Productions – Filming for Scallop Programme	£250+VAT
	Friday 17th	Photography for personal use	No
		BBC – News	No
	Saturday 25th	Photography for personal use	No
<u>March 2017</u>			
	Saturday 4th	Photography for personal use	No
	Tuesday 7th	Photography for personal use	No
		Photography for personal use	No
	Tuesday 21st	Photography for personal use	No
		Photography for personal use	No
	Friday 24th –	Firecracker Films Ltd – Documentary with Rex Goldsmith	£450+VAT
	Thursday 30th	Photography for personal use	No

Smithfield Market

Visitors

Dec

Friday 2nd - Nabma Wholesale Forum

Filming/photography

No Visitors

New Spitalfields Market

Visitors

No Visitors

Filming/Photography

No Visitors

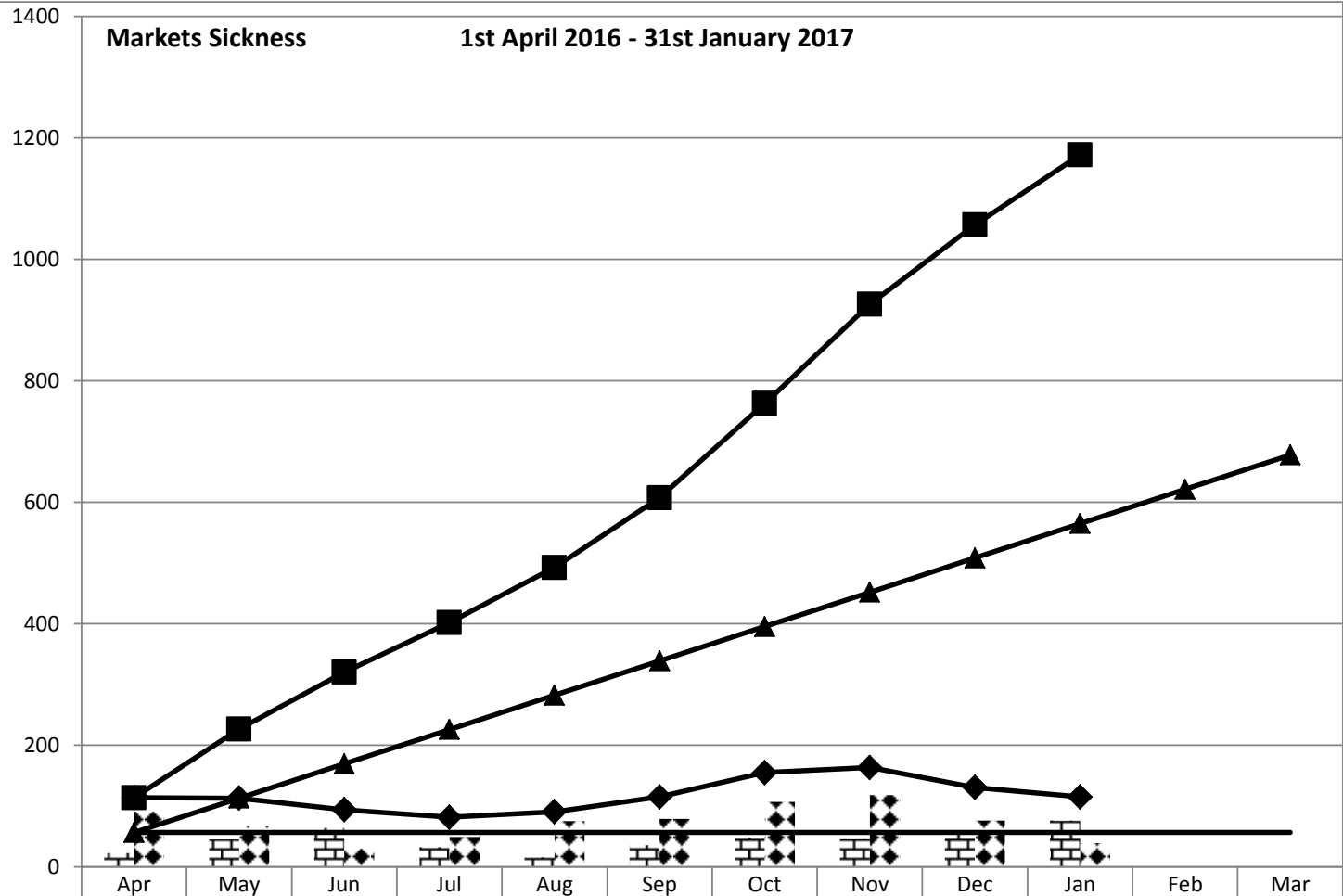
Department of Markets & Consumer Protection Local Risk Revenue Budget - 1st April to 28th February 2017
(Income and favourable variances are shown in brackets)

	Latest Approved Budget 2016/17 £'000	Budget to Date Net Expenditure £'000	Actual to Date Net Expenditure £'000	Variance to Date +Deficit / (Surplus) £'000	Projected Outturn +Deficit / (Surplus) £'000	Variance from Latest Approved Budget 2016/17		Note
						£'000	%	
Markets (City Cash)								
Directorate	436	395	395	0	436	0	0%	
Billingsgate - Corporate Account	135	116	128	12	142	7	5%	
Billingsgate - Service Charge	0	(560)	(560)	0	0	0	0%	
Billingsgate - Repainting and Special Works	0	110	110	0	0	0	0%	
Smithfield - Service Charge	939	582	392	(190)	788	(151)	-16%	1
Smithfield - Corporate and Direct Recovered	137	114	96	(18)	107	(30)	-22%	
Smithfield - Other (Including Car Park)	(129)	(156)	(324)	(168)	(276)	(147)	-114%	2
	1,518	601	237	(364)	1,197	(321)	-21%	
Markets (City Fund)								
Spitalfields - Corporate Account	20	13	6	(7)	11	(9)	-45%	
Spitalfields - Service Charge	27	(125)	(63)	62	27	0	0%	3
Spitalfields - Repair and Repainting	0	148	148	0	0	0	0%	
	47	36	91	55	38	(9)	-19%	
TOTAL MARKETS COMMITTEE LOCAL RISK	1,565	637	328	(309)	1,235	(330)	-21%	

Notes:

- Smithfield Service Charge** - projected variance due to salary vacancies and delays in the commencement of projects/maintenance on agreed carry forward budgets. Additionally, there are energy underspends as the Budget Holder set the revised budget based on unit price increases under instruction from the Energy Team in October 2016, but when the actual unit price was received, it had reduced. Further underspends relate to extra service charge income received due to additional non-capped leases.
- Smithfield Other** - projected underspend mainly due to higher than expected income from car park usage £120K and backdated income re-coded from Tower Hill car park after reconciliation £30K.
- Spitalfields Service Charge** - overspend to date is due to additional energy costs from increased consumption caused by additional mezzanine floor areas and shortfalls against the budget profile for service charge income. Any over/under recovery on income or expenditure will be returned/charged to tenants so the bottom line balances to zero at year end.

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	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Short-term Sickness (under 4 weeks)	23	45	64	32	16	36	48	45	55	76		
Long-term Sickness (4 weeks and over)	91	68	30	49	75	79	107	118	76	39		
Sickness Monthly	114	113	94	81	91	115	155	163	131	115		
Sickness Cumulatively	114	227	320	402	493	607	762	926	1057	1172		
Target Monthly	57	57	57	57	57	57	57	57	57	57	57	57
Target Cumulatively	57	113	170	226	283	339	396	452	509	565	622	678

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Committee(s)	Dated:
Markets Committee	10 May 2017
Subject: Departmental Business Plan: Markets and Consumer Protection	Public
Report of: Director of Markets and Consumer Protection	For Decision
Report author: Don Perry, Head of Business Performance: Department of Markets and Consumer Protection	

Summary

This report presents, for approval, the business plans for 2017/18 for the Department of Markets and Consumer Protection for the year 2017/18.

The high-level summary business plan for Markets and Consumer Protection (Appendix 1) draws together the wide range of services provided, and regulatory functions carried out, by the whole Department.

As the Department of Markets and Consumer Protection reports to three separate Committees (Port Health and Environmental Services Committee; Licensing Committee; Markets Committee) for discrete aspects of its work, separate detailed business plans have been produced for each. The plan at Appendix 2 contains specific key information relating to the three wholesale Markets – Billingsgate, Smithfields and New Spitalfields Market.

This report also presents an early draft of the Corporate Plan 2018-23 to give Members an opportunity to provide informal feedback before wider consultation on the plan takes place in the autumn with staff, partners and other external stakeholders.

Recommendation(s)

Members are asked to:

- Approve the high-level and detailed departmental business plans for the Department of Markets and Consumer Protection
- Note the draft Corporate Plan 2018-23 and provide initial feedback on the content.

Main Report

Background

1. A new framework for corporate and business planning is currently being developed, led by the City Corporation's Head of Corporate Strategy and Performance. The aim is for all the work carried out by or supported by the City Corporation to contribute to one overarching goal. This will be achieved by:
 - Identifying the overarching goal and the specific outcomes that support it in the refreshed Corporate Plan;
 - Ensuring that all the work carried out by departments, including projects and development plans, contributes to delivery of the outcomes in the refreshed Corporate Plan, and is included in their business plans;
 - Enhancing the "golden thread", such that everything we do and develop is captured within appropriate departmental business plans, team plans, and individual work plans;
 - Developing a culture of continuous improvement, challenging ourselves about the economy, efficiency and effectiveness of what we do and the value we add.
2. As this new approach involves parallel changes to a number of high-level processes, it will take 2-3 years to be fully implemented, so how plans are presented to Members is likely to develop during this time.

Departmental Business Plans

3. Revised departmental business planning documentation is being introduced in response to Member requests for consistency of presentation across the organisation, and a desire to see a succinct statement of key ambitions and objectives for every department. For this year, we have introduced new standardised high-level summary departmental plans. These will also allow corporate Committees and Sub Committees to see what is being proposed and delivered across the organisation as a whole.
4. Prior to the March Common Council elections, where meeting dates permitted, departments presented draft high-level departmental plans for discussion with their Service Committees. Following feedback from Members and Chief Officers, the standard template for and content of these high-level plans has been finalised. As well as key information on ambitions, budget and planned outcomes, the template requires departments to include information on their plans for cross-departmental and departmental projects, development of the department's capabilities, and a horizon-scan of future opportunities and challenges.
5. This report presents at Appendix 1 the high-level plan for the Department of Markets and Consumer Protection.
6. The high-level plan is supported by a more detailed plan for 2017/18, in the format used in previous years (Appendix 2). This provides more information on the items highlighted in the high-level plan. During 2017/18, development work will take place on the format of the detailed business plans, with a view to a

standard format being introduced for 2018/19 onwards, which will align more closely with the high-level plans.

7. Further work will also take place on monitoring and reporting against the agreed outcomes at both corporate and departmental levels. This responds to Members' demands for more focussed and meaningful performance measures which demonstrate impact on outcomes rather than just outputs and activity. Ways in which reporting can become streamlined will also be considered.

Department of Markets and Consumer Protection

8. The high-level summary business plan draws together the wide range of services provided, and regulatory functions carried out, by the whole Department.
9. As the Department reports to three separate Committees (Port Health and Environmental Services Committee; Licensing Committee; Markets Committee) for discrete aspects of its work, separate detailed business plans have been produced for each. The plan at Appendix 2 contains specific key information relating to the three wholesale Markets – Billingsgate, Smithfields and New Spitalfields Market.
10. The Markets Business Plan sets out what the Markets aims to achieve this year, the standards it will attain, and where this fits within the wider Departmental and Corporate strategic aims and objectives.
11. The ambitions, objectives and performance measures contained within both the high-level departmental plan and the detailed Markets plan are underpinned by the Department's core functions and its commitment to supporting corporate priorities. Members of staff at all levels were consulted on the content of the plans as were corporate contacts and business partners.

Corporate Plan 2018-23

12. In parallel with the development of the high-level departmental plans, work has continued on developing a refreshed Corporate Plan for 2018-23. This will include a mission statement which is specific and relevant to the City Corporation; ambitious long-term outcomes against which we can measure our performance.
13. Draft 15-year ambitions developed by Chief Officers in the People, Place and Prosperity Strategic Steering Groups have been edited into three broad strategic objectives, aligned with a draft mission. Twelve draft outcomes are grouped under these objectives to form the basis of the refreshed plan. To support the development of this plan a new Corporate Strategy Network of senior officers has been established. As a first task, this network is mapping activities listed in departmental business plans to draft outcomes in the Corporate Plan so that we can see where our efforts are currently being directed and use this information to help inform future decisions.

14. A draft of the Corporate Plan is presented at Appendix 3 to give Members an opportunity to provide feedback on the plan before it is discussed at the informal meeting of the Resource Allocation Sub Committee in June. The draft mission, strategic objectives and grouped outcomes are on the first page of the draft plan. The second page describes the strategic principles, competencies and commitments that underpin how we will go about delivering the outcomes.
15. Members will have a further chance to comment on the Corporate Plan at Service Committees and in other working groups in the autumn.
16. Formal consultation will also take place with staff, partners and other stakeholders from September.
17. Officers are aiming to seek full Member approval of the Corporate Plan 2018-23 from the Court of Common Council prior to publication before the start of the 2018/19 financial year. Once the refreshed Corporate Plan has been approved, there will be closer alignment between the Corporate Plan and departmental business plans; for example departmental plans will explicitly refer to the relevant outcomes from the Corporate Plan.

Conclusion

18. This report presents the business plan for the Department of Markets and Consumer Protection for approval, and an early draft of the Corporate Plan 2018-23, to give Members an opportunity to provide initial feedback before it is discussed at the informal meeting of the Resource Allocation Sub Committee in June and opened out to wider consultation in the autumn.

Appendices

For Approval:

1. High level departmental plan – Department of Markets and Consumer Protection
2. Detailed Business Plan – Department of Markets and Consumer Protection

For Information

3. Draft Corporate Plan 2018-23

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We advise and regulate a wide variety of businesses in the Square Mile and beyond to protect consumers and communities from bad practice and fraud. We also provide access to fresh produce as a vital link in the food supply chain for London and the South by operating three thriving wholesale food markets.

Our ambitions are that:

- We will demonstrate leadership for London by delivering our Air Quality Strategy 2015-2020 and we will work with others to achieve a new Clean Air Act.
- We will operate thriving markets, with modern infrastructure, that meet the needs of buyers, our tenants, and local communities.

We will develop our Port Health service to be the fastest processor of imported food and feed consignments in the UK.

We will develop and expand our Animal Health services to provide world class facilities at Heathrow Animal Reception Centre which accommodate anticipated increases in demand.

- We will set the benchmark nationally for Licensing Policy and other Schemes that promote the Licensing objectives.
- We will meet the current and future needs of our stakeholders by protecting consumers through the enforcement of a wide range of legislation and undertaking appropriate interventions.

What we do is:

Our **Port Health and Public Protection Division** is sub-divided into three service areas:

- Public Protection provides a comprehensive and effective environmental health, trading standards and licensing service for the City of London, ensuring that, through monitoring, regulation and enforcement, City residents and businesses can enjoy an environment and services which are, so far as possible, safe and without risk to their health or welfare.
- As London Port Health Authority, the Port Health Service controls imported food and feed, and infectious disease, as well as protecting the environment along 151km of the tidal Thames.
- The Animal Health & Welfare Service provides animal health services to London, including carrying out inspections of pet shops, zoos, dog breeding and riding establishments, and dealing with illegal imports of animals. The service also runs the Animal Reception Centre at Heathrow.

We operate the three City of London **wholesale food markets:**

- As landlords we manage and provide administration, maintenance, cleaning and security services to Billingsgate, New Spitalfields and Smithfield Markets.
- These markets supply fish, fruit, vegetables, flowers, and meat to a host of food service sectors within the South East and beyond.
- Customers range from catering companies, butchers, fishmongers, and greengrocers to restaurants, hotels, schools, street and retail markets and small local businesses.
- The wholesale markets still turnover some 30% of the fresh produce entering London and are a vital link in the food supply chain.

Our budget is:

Expenditure	£'000
Public Protection	2,795
Port Health	3,260
Animal Health Markets	2,153
	13,620
	21,828
Income	
Public Protection	(774)
Port Health	(2,351)
Animal Health Markets	(3,165)
	(12,358)
	(18,648)
Net Local Risk Expenditure ^{*1}	
	3,180

^{*1} Excludes Local Risk amounts spent by the City Surveyor

Our top line objectives are:

Service deliverables

1. Implement a Low Emission Neighbourhood in the City to improve air quality and mitigate the risk of high air pollution.
2. The Licensing Team will continue to expand the Safety Thirst Award Scheme, which aims to reduce crime and anti-social behaviour.
3. The Trading Standards Team will maintain its focus on protecting City residents from financial fraud.
4. The Pollution Team will implement the Action Plan of the Noise Strategy 2016-2026.
5. Investigate, and begin to implement, new income generation proposals for the Heathrow Animal Reception Centre (HARC).
6. Evaluate the potential impact of leaving the EU on the services provided by Port Health and Public Protection.
7. Implement a new waste and cleaning contract at New Spitalfields Market.
8. Complete the delivery of Service Based Review (SBR) measures and historic repair works at Smithfield Market.
9. Continue to develop the use of technology and mobile working solutions across the department.
10. Carry out a comprehensive strategic review of the three wholesale markets, including transport needs and location.

Corporate programmes and projects

- One Safe City Programme: contribute to the development of the Customer Relationship Management (CRM) system as part of delivering the programme's three key initiatives to provide a safer environment for our customers and stakeholders to live and do business in.
- Air Quality Project: ensure that the City Corporation complies with the new statutory requirements for London Local Air Quality Management. Demonstrate leadership for London by implementing the actions set out in the Air Quality Strategy 2015-2020, including introducing a Low Emission Neighbourhood in the City.
- Corporate Apprenticeship Scheme: support the scheme by offering a range of suitable placements for candidates.
- Focus on further reductions in energy usage as part of the Energy Efficiency Programme.

Departmental programmes and projects

- Procure and install a multi-lane entry barrier system and pedestrian access control at New Spitalfields Market.
- Identify and take up opportunities to increase income generation in all parts of the department.
- In liaison with the IT Department, continue to develop the use of technology and mobile working solutions.

How we plan to develop our capabilities this year

- Improve working relationships with partners, Government Departments and other agencies through collaboration and sharing information and expertise.
- Refresh our Workforce Plan, including consideration of appropriate proposals for succession planning.
- Continue to develop our leadership capabilities through the departmental Leadership Development Programme.

What we plan to do in the future:

- Identify the potential impacts and opportunities of the UK's exit from the EU and prepare appropriate strategies to address them.
- Ensure we have the necessary expertise and capability to respond to Government and legislative changes.
- Improve air quality and manage the risk to our residents and stakeholders. Work with third parties to influence London-wide and national strategies.
- Develop extra facilities at Heathrow Animal Reception Centre to meet anticipated increases in demand and thereby increase income.
- Expand our capacity at London Gateway and Tilbury ports in order to accommodate anticipated increased demand.
- Ensure the continued relevance of our wholesale food markets by building on the findings of the comprehensive strategic review.

What we'll measure:

1. Levels of air pollution in the City.
2. The number and quality of applications received for the Safety Thirst Award Scheme.
3. The number of reported incidences of City residents experiencing financial fraud.
4. Delivery of key actions.
5. Income levels at the HARC.
6. Completion of mapping of all legislation that may be affected by the EU exit, by April 2019.
7. The number of complaints made about the performance of the cleaning contractor at New Spitalfields Market.
8. Income levels at Smithfield Market.
9. Improvements to working practices as a result of implementing mobile working technologies.
10. Report findings of the review to Markets Committee for consideration by May 2018.



Markets Business Plan 2017-2020

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Director's Introduction

The Department of Markets and Consumer Protection (M&CP) has the widest span of all front-line service departments, employing some 262 staff with a combined local and central risk gross expenditure of £22,349,000 and an overall net local risk budget of £3,180,000 giving a total net budget including central risk and recharges of £1,404,000 for 2017-18. Spread across ten locations, the department ranges from the Heathrow Animal Reception Centre in the West, to Billingsgate and Spitalfields Markets in the East, with Tilbury and London Gateway Ports on the North side of the Thames, and Denton on the South side.

As the department reports to three separate Committees (Markets Committee; Port Health and Environmental Services Committee; Licensing Committee) for discrete aspects of its work, separate plans have been produced for each. This plan contains specific key information relating to the three wholesale food markets, covered by the Markets Committee. More detailed improvement objectives and performance measures are identified in the Local Business Plan of each market, and can be made available upon request.

The City has, in recent years, been going through a programme of unprecedented transformational change in the way we work, which is likely to continue for the foreseeable future. In delivering the business plan this year we need to ensure that the services we provide, and the way in which we provide them, are Relevant; Responsible; Reliable; and Radical.

As part of the Service Based Review (SBR), we have successfully continued the process of maximising income generation from our assets, and will need to exploit the benefits of modern technology. This will become increasingly important as we endeavour to deliver the high standards that our customers expect with pride, pace, passion, and professionalism. To ensure that we fulfil our obligations to our major customers, we need to satisfy the four perspectives shown on pages 9 to 13, our version of the Balanced Scorecard¹, while we endeavour to maintain our traditional standards and remain mindful of our corporate, environmental, and social responsibilities.

Implementing the SBR measures, and the associated work-streams, was a key element of our activities during the past two years. The department's planned SBR savings have been accomplished so far, and new, more flexible ways of working are underpinning progress in this area. The Mobile Technology project and the corporate Accommodation & Ways of Working project will be vital enablers for improving our efficiency and effectiveness, so that we can 'do more with less'.

As the City continues to transform the way it delivers its services, we recognise the vital importance of having a skilled and highly motivated workforce in order to support this change, and the role good leadership plays. We have shown our commitment to providing this through the inaugural Markets and Consumer Protection Leadership Development Programme for selected middle-rank and senior staff last year. We are running a second programme this year and I hope it will be adopted as a corporate initiative thereafter.

David A H McG Smith CBE, Director of Markets and Consumer Protection

¹ Kaplan R. S. and Norton D. P. (1992). "The Balanced Scorecard: measures that drive performance", *Harvard Business Review*, Jan – Feb pp. 71–80

Overview of our Services

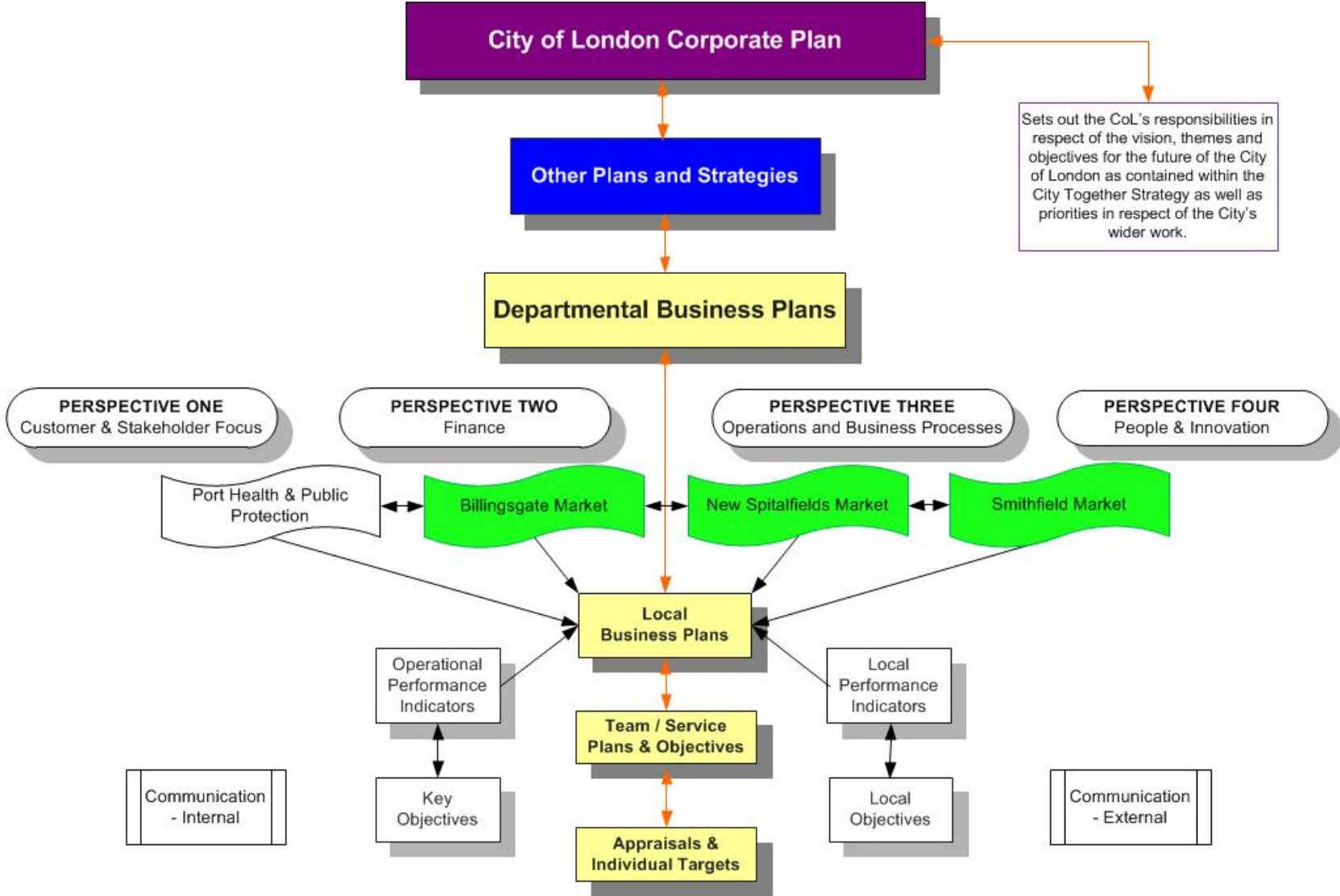
The City of London's wholesale markets play a central role in the economies of the communities in which they operate. Billingsgate, New Spitalfields and Smithfield supply fish, fruit, vegetables, flowers, and meat to a host of food service sectors within the South East and beyond. Customers range from catering companies, butchers, fishmongers, and greengrocers to restaurants, hotels, schools, street and retail markets and small local businesses. The markets have a combined estimated turnover of about £2 billion per year and more than 25,000 customers per week.

Billingsgate Market has 42 fish merchants and 9 businesses that service the fish merchants, and these include specialist and catering suppliers, potato and trade sundries suppliers, with an annual turnover of some 25,000 tonnes, valued at approximately £250 million. Although traditionally a wholesale market, retail trade has increased in recent years, especially on Saturdays.

Smithfield Market is a world-renowned wholesale meat and provisions market serving Greater London and southern England. There are 42 individual businesses with approximately 120,000 tonnes throughput, valued at approximately £500 million. As well as meat and poultry, products such as cheese, pies, and other delicatessen goods are available.

New Spitalfields Market has 115 trading stands for wholesalers in the market hall, 15 catering supplies units, 13 offices and 5 cafes. New Spitalfields Market houses the largest number of food wholesalers in the UK, with a turnover of some 750,000 tonnes, valued at approximately £750 million.

Business Planning Process



Departmental Vision

The overall vision of the Department of Markets and Consumer Protection is to provide high quality, efficient services to our customers and stakeholders by operating three thriving wholesale markets; and by advising, regulating and protecting communities for which we have responsibilities in the fields of Environmental Health, Port Health, Trading Standards, Animal Health and Licensing.

Ambitions

Our vision is reflected in the Department's ambitions which relate to the wholesale markets:

- Operate thriving markets, with modern infrastructure, that meet the needs of buyers, our tenants, and local communities.
- Complete the Strategic Review of Market and implement its findings.
- At all times to seek value for money in the activities we undertake so that the highest possible standards are achieved cost effectively.

Measuring Performance

We will measure our performance against five Operational Performance Indicators and twenty-three Key Improvement Objectives, as detailed on the following pages. Progress against these measures will be reported to the Markets Committee on a four monthly basis throughout the year.

Data Quality

We are satisfied that data collected for the monitoring and reporting of improvement objectives and performance indicators is accurate. Effective systems and procedures are in place to produce relevant and reliable information to support management decision-making and to manage performance.

The Department complies with the Corporate Data Quality Policy and Protocol and has its own Departmental Data Quality Policy (available upon request).

Operational Performance Indicators 2017-2018

The five **Operational Performance Indicators** for the wholesale markets for 2017-2018 are shown here.

MKPI 1 Achieve an overall sickness level of no more than 6 days per person by 31 March 2017, and a total of no more than 684 days across all markets² .

MKPI 2 90% of debts to be settled within 60 days and 100% of debts settled within 90 days.

MKPI 3 Divert 95% of waste from landfill.

MKPI 4 Achieve 98% occupancy of all lettable space at Billingsgate, Smithfield, and New Spitalfields Markets.

MKPI 5 Improve the standard of accident reports, ensuring all information and evidence is gathered thoroughly and documented. All reports to be completed within 3 days following the reporting of an incident.

². Target based upon Full Time Equivalent (FTE) members of Markets staff at 31 December 2016 (no. 114).

Key Improvement Objectives 2017-2018

The twenty-three **Key Improvement Objectives** for the wholesale markets for 2017-2018 are listed here under the four broad perspectives, or themes, which run across the whole of the Department of Markets and Consumer Protection.

Perspective 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.			
Action	Outcome	Measure	Responsibility
<u>Billingsgate Market</u> Improve cleaning standards.	A site where all stakeholders, particularly our tenants, have no cleaning complaints.	To receive less than 7 complaints regarding the cleanliness of the market.	Superintendent, Billingsgate Market
<u>Smithfield Market</u> Review the Working Manual and have an updated copy agreed and signed by the SMTA and CoL.	A fully implemented Working Manual that clearly sets out the responsibilities of the landlord, tenants and market workers in the safe and efficient running of the market.	The Working Manual to be updated and agreed by both CoL and Tenants by August 2017 and to be signed jointly by the Chairman of the SMTA and the Superintendent.	Superintendent, Smithfield Market
Carry out a comprehensive strategic review of the three wholesale markets, including transport needs and location.	A clear statement of the proposed way ahead for the City's Markets.	Review to begin in April 2017 and be completed by March 2018. Report to Market Committee on the findings of the review in May 2018.	Chief Officer Head of Business Performance Performance Management Officer

Perspective 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.

Action	Outcome	Measure	Responsibility
<u>New Spitalfields Market</u> Ensure the successful implementation of the new waste and cleaning contract.	Being more effective at segregating waste leading to improving recycling. Better standard of cleaning across the site. Introduce a 'polluter pays' policy.	Generation of income. Increased recycling. Reduction in slips and trips on site.	Superintendent, New Spitalfields Market
<u>New Spitalfields Market</u> Investigate opportunities for the installation of paid advertising hoardings.	An understanding of the feasibility of installing the advertising hoardings and the possible income that could be generated.	Decision to be made whether to proceed with the installation, based upon the feasibility study, by March 2018.	Superintendent, New Spitalfields Market
<u>Smithfield Market</u> Implement Service Based Review (SBR) proposals for: <ul style="list-style-type: none"> increased car park usage letting the 7 currently vacant premises in the Poultry Market. 	Increase in car park revenue. Reduction in cost to the City for the service charge voids on the premises.	Additional income will be realised in 2017-18 as follows: <ul style="list-style-type: none"> produce a strategy for increasing use of the Rotunda car park savings in Poultry Market service charge voids £173,000. 	Superintendent, Smithfield Market
<u>Smithfield Market</u> Being ready to implement the full service charge on 1 April 2018.	A smooth transition into the full service charge agreement with the SMTA.	Scheduled meetings with the SMTA. 11% monthly reduction in 16 outstanding expenditure lines agreed with the SMTA by December 2017.	Superintendent, Smithfield Market
<u>Billingsgate Market</u> Pursue opportunities to increase income from commercial car parking.	Current levels of income to be sustained and options for growth in income generation to be identified and evaluated.	Income from car parking to be maintained at 2016-17 levels. Other potential sources of income to be investigated by October 2017.	Superintendent, Billingsgate Market

Perspective 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.

Action	Outcome	Measure	Responsibility
<p><u>Smithfield Market</u> Continue with the project to refurbish the Poultry Market roof.</p>	Roof repairs complete and all historic repairs for the building completed.	Milestones for the project met and overall project on schedule to be completed by March 2018.	<p>Chief Officer</p> <p>Superintendent, Smithfield Market</p> <p>City Surveyor</p>
<p><u>Smithfield Market</u> Implement the action plan, agreed with the SMTA, to control the risks associated with HGV Banksmen duties.</p>	The currently 'red', health and safety risk associated with Banksmen duties will be fully controlled and the target risk status 'amber' achieved.	Working with the FTA and SMTA, agree an action plan designed to implement best industry standards and mitigate risks identified. Risk downgraded to Amber by end April 2017 and will be maintained at that status for the remainder of the year.	Superintendent, Smithfield Market
Complete the formal annual review of our property holdings with City Surveyors Department to ensure that we do not occupy buildings and land in excess of our identified operational need, in accordance with Standing Order 55.	That our property holdings are appropriate for our operational needs and future needs.	Review to be completed by October 2017.	<p>Market Superintendents</p> <p>Head of Business Performance</p> <p>Chief Officer</p>
Review the CCTV requirements of each market site and assess whether current systems are sufficient and best value.	Fit-for-purpose, effective CCTV systems in place at all three markets.	<p>CCTV review at each Market – May 2017.</p> <p>A report, with recommendations, will be produced from the findings of the review - September 2017.</p>	Market Superintendents
Support the City Surveyor's Department with the mobilisation and implementation of the new BRM contract.	Influence and improve the standard of planned maintenance and the speed of reactive maintenance at the markets.	Regular meetings and feedback to City Surveyor's Department.	Market Superintendents

Perspective 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.

Action	Outcome	Measure	Responsibility
Review current practices and produce a report recommending common principles for the management of fork lift trucks (FLT) at each of the three markets.	Consistent approach to FLT management across all three markets.	A common penalty point system for FLT offences will be in place at all three markets by October 2017.	Market Superintendents Head of Business Performance Technical Officer
<u>New Spitalfields Market</u> Procure an entry barrier system for the market.	Improved access and traffic management at the Market. Increased ability to enforce Market rules. Income generation.	Reconfigure the Market's Traffic Plans to accommodate the new entry barrier by July 2017. Install the Entry Barrier by July 2017.	Superintendent, New Spitalfields Market
<u>New Spitalfields Market</u> Explore opportunities for increased sustainability in our operations:- • Rainwater harvesting • A Biomass Boiler	Recycled water used to clean the site, thereby realising a reduction in water charges. Reduce wood waste through burning. Generation of electricity.	A feasibility study will be completed by December 2017. A feasibility study will be completed by December 2017.	Superintendent, New Spitalfields Market Head of Maintenance
<u>Billingsgate Market</u> In consultation with the Tenants' Association, identify and progress improvements to the market's facilities.	Market facilities that are judged by tenants to be fit for purpose for the medium to long term (10 years +).	Tenants' satisfaction.	Superintendent, Billingsgate Market
Support the corporate review of Asset Management and Facilities Management, led by the City Surveyor.	Completion of the review of Markets and Consumer Protection.	Active participation with the review process.	Chief Officer Market Superintendents Head of Business Performance

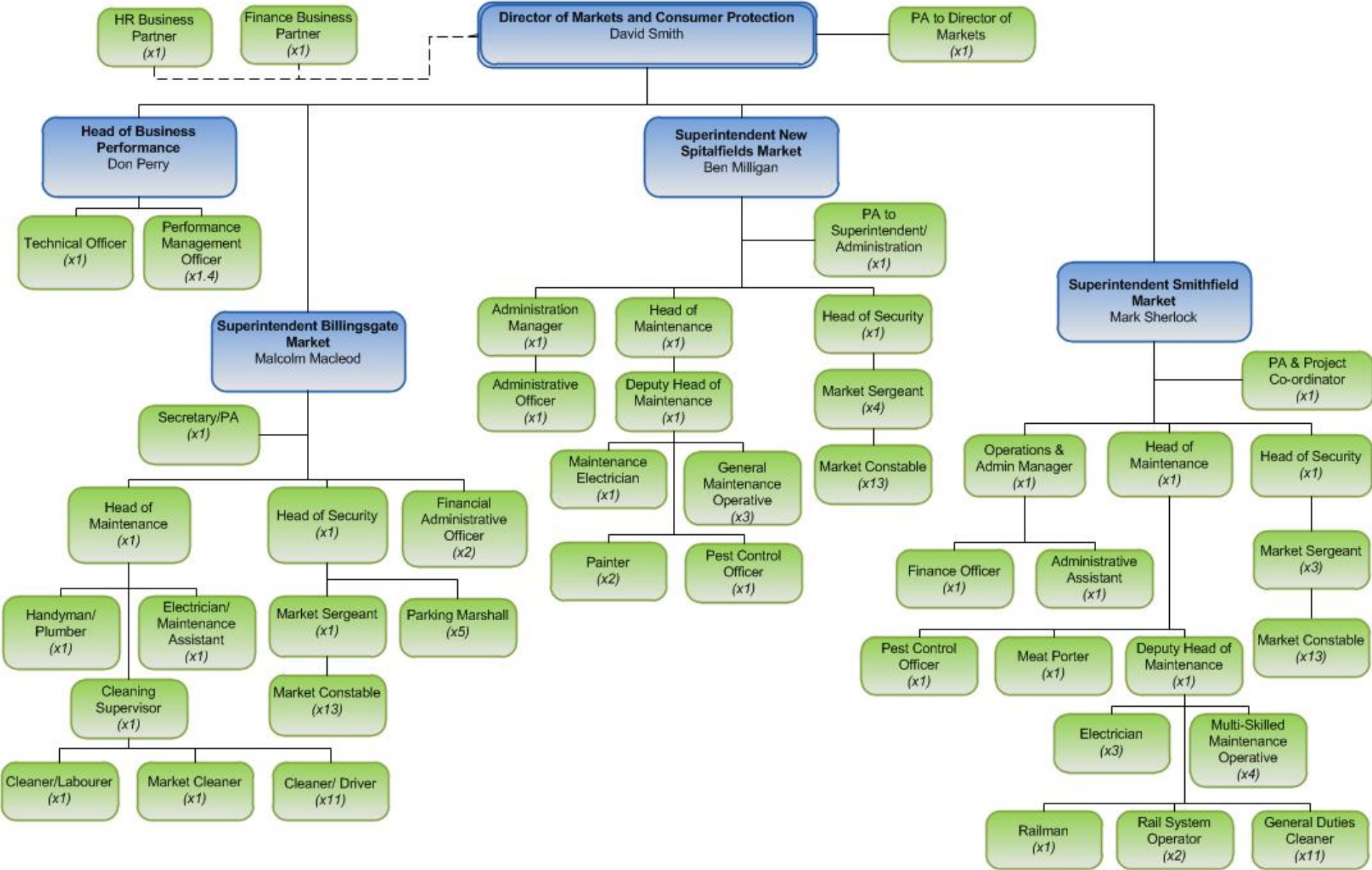
Perspective 4 - People and Innovation			
Enhance the quality of our leadership and management. Further embed the corporate values of "Lead, Empower, Trust". Encourage the development of all of our staff.			
Action	Outcome	Measure	Responsibility
Refresh the Departmental Workforce Plan and implement the priorities.	Our workforce will have both the capability and resources to meet the markets' business objectives and cope with future operational demand.	Progress in addressing the key priorities of the Workforce Plan by March 2018, including: <ul style="list-style-type: none"> • Leadership development • Mobile working • Succession planning • Development of a Skills Matrix for the department. 	Chief Officer Departmental Workforce Planning Group HR Business Partner
Investigate and identify options for mobile working at the markets to enable more effective enforcement work.	Greater efficiency and effectiveness of security operations in monitoring health and safety incidents and breaches of local operational rules.	Firm statement on the feasibility of using mobile devices to carry out inspection and monitoring work.	Market Superintendents IT Department
Deliver the second iteration of the M&CP Leadership Development Programme. <i>(Linked to the fourth Equalities priority within the Corporate Equality Objectives for 2016 - 2020')</i>	Improved leadership skills.	Leaders' / Managers' satisfaction as measured by post-course feedback.	Chief Officer Leaders / Managers delegates
<u>New Spitalfields Market</u> Explore opportunities for providing business coaching for market tenants: a training programme for start-ups, SMEs, Directors aged below 30, and those from more deprived areas.	Enable access to formal qualifications in business in liaison with local colleges/universities. More commercially aware tenants who are better informed in terms of business, governance, accounting etc.	Consultation with the Tenants' Association on coaching proposals to be completed by June 2017. Report on the outcome of a feasibility study to be completed by March 2018.	Superintendent, New Spitalfields Market
Participate in the Corporate Apprenticeship Scheme.	Benefit to the City and the Apprentices from participation in the scheme.	Allocated candidates in place by October 2017.	Markets Leads Performance Management Officer

Looking ahead

As part of our ongoing business planning process, it is essential that we remain aware of future events that may impact the department. Such forward thinking will help us to ensure that we allocate resources effectively in order to provide services that are relevant and meet the changing needs of our stakeholders. We will be able to make the most of opportunities to innovate, collaborate, work more efficiently, and, where appropriate, remain competitive and maximise income.

During 2017 we will carry out a comprehensive strategic review of the three wholesale markets, including transport needs and location, which will inform our discussions and recommendations to Members on the future direction of our markets in the medium to long term.

Department of Markets and Consumer Protection Markets Management Structure



Workforce Capability

Workforce planning

A departmental Workforce Plan was developed in 2015. A Workforce Planning Group was set up to be responsible for delivering the objectives set out within the Plan and to prepare for the future in relation to sourcing, developing and retaining knowledge and expertise. This year the Workforce Plan will be refreshed.

Learning and Development

Learning and Development is a priority for the department as a whole. In addition to mandatory training, the individual development needs of all members of staff are identified at performance appraisals and progress is monitored at review stages.

Improving the quality of our leadership and management is an ongoing departmental objective. During 2016/17 we initiated and successfully delivered a Leadership Development Programme for 16 people at the Assistant Director and Team Leader level with the specific aim of encouraging them to find different ways of thinking about leading their areas of business. The programme will be repeated in 2017/18 with a further group of staff, drawn from a wider range of Grades.

Investors in People

In September 2015, the City of London Corporation met 118 evidence requirements and achieved recognition as a SILVER Investor in People but it was decided by the Summit Group to put working towards attaining the Investors in People Gold level on hold until 2018. To maintain our 'Silver' accreditation a light touch review with one day on site and written evidence will take place in May 2017.

Equalities and Diversity

The Department supports the City of London's four Equality Objectives for 2016-2020, which are:

1. Increase community engagement and improve cohesion within our communities so that people feel safe.
2. Support the City's most disadvantaged groups and develop our understanding of our communities' needs.
3. Improve the way we listen to our communities and respond to their feedback to improve our services.
4. Promote staff development and career progression to ensure equality of opportunity for promotion and the development of a workforce that reflects the make-up of our communities.

The Department provides services in line with the Public Sector Equality Duty (PSED) of the Equality Act 2010, which requires public authorities to have 'due regard' to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity between those who share a protected characteristic and those who do not
- Foster good relations between those who share a protected characteristic and those who do not

We have named 'Departmental Equalities Representatives' who represent the Department and provide support and advice to colleagues on equality and diversity issues relating to service delivery.

Risk Management

Business Continuity and Emergency Planning

The City has an overarching Business Continuity Strategy and Framework, as well as a Corporate Business Continuity Plan for large scale disruptions that affect more than one business area or location. The Department also has its own business continuity arrangements aimed at dealing with localised disruptions.

Both corporate and departmental arrangements are regularly reviewed to ensure they align with the relevant risk registers and business objectives. The Department's Technical Officer shares best practice and attends the Resilience Steering Group, which meets on a quarterly basis.

Business Risks

The Department's key business risks are actively managed using the Covalent Risk Management software package in line with corporate policies and procedures. Risks and mitigating actions are identified, analysed, assessed and addressed on an ongoing basis by named representatives across the department.

The Departmental Risk Tracker is regularly updated and reported to the Markets Committee.

Health and Safety Risks

The Department's Top X Register comprises a list of our main Health and Safety risks. The Register is managed using the Covalent Risk Management software package and a report is presented to the Corporate Health and Safety Committee annually.

The Department complies with the Corporate Health and Safety Policy, including having its own Departmental Health and Safety Policy Statement. There is a Departmental Health & Safety Committee with a Markets sub-Committee, as well as local Health & Safety Groups at each market. Named individuals have specific health and safety responsibilities including carrying out risk assessments and accident/incident reporting.

A copy of the Summary Risk Register is at Appendix A along with a diagram showing the structure of health and safety management and reporting within the Department.

Property and asset management

I confirm, as Director of the Department of Markets and Consumer Protection, that the Department is utilising its assets efficiently and effectively and that I have considered current and future requirements for service provision. Any assets that have been identified as surplus to the department's requirements have been or will be reported as required to the Corporate Asset Sub-Committee and the schedule will be annually reviewed to ensure that the use of assets by the Department of Markets and Consumer Protection continues to be challenged appropriately.

Signed: David A. H. M. Smith
Director of the Department of Markets and Consumer Protection

Dated: 31.03.2017

Capital projects 2017-2022

The table below shows basic information about projects which may require over £50k of capital expenditure during the next five years.

Brief description of potential project	Approximate cost	Indicative source of funding	Indicative timetable for project
Smithfield Market: Poultry Market roof.	£11.7 million	Resource allocation from City's Cash.	Main works start July 2017 Works Complete Sep 2018
New Spitalfields Market: Renewed CCTV system	Not yet known	Repair and Repainting fund (20 year plan item)	At pre-Gateway Zero concept stage. Outline concept document to be produced and evaluated subject to cross Markets review of CCTV being conducted by Superintendent at New Spitalfields Market.
New Spitalfields Market: Multi barrier entry system to the market.	Not yet known	The Repair and Repainting fund.	Procurement ongoing via ESPO framework. Target for procurement of 1 st April 2017.
New Spitalfields Market: Photovoltaic Cells on the Market Hall roof	Not yet known	To be decided	Payback period was seen to be prohibitive (10 years) given the current review of markets. Solar thermal options for water heating in Pod buildings is now being evaluated. Subject to payback times.
New Spitalfields Window replacement, Market Pavilion	£120,000	Repair and Repainting fund (20 year plan item)	2016/17 Consultant to ascertain imminent need for replacement. (Managed on behalf of market by CSD, the asset managers)
New Spitalfields Market: Electrical distribution panel replacement	£90,000	Repair and Repainting fund (20 year plan item)	2017/18 (Managed on behalf of market by CSD, the asset managers)
New Spitalfields Market: HV switchgear replacement	£250,000	Repair and Repainting fund (20 year plan item)	2018/19 (Managed on behalf of market by CSD, the asset managers)

Financial summary

We will continue to build on the close working relationships that have been successfully developed between our budget managers and our finance partners in the Chamberlain's Department. The focus this year will be to automate the raising of service charge invoices through the Oracle Property Manager Service Charge Module by the end of the financial year for all markets. There will also be collaboration between Chamberlain's and budget managers to improve budget profiling and enter updated year end forecasts into Oracle in order to enable greater self-service of budget monitoring information. This will be supported through regular meetings between budget managers and accountants and our Head of Finance's attendance at Senior Management Group meetings.

Over the coming year we will continue our drive for efficiencies in support of the City's agreed efficiency plan from 2018/19. Additionally, we will liaise closely with the Chamberlain on the financials for the New Spitalfields Market lease, following negotiations with the Tenants Association, and the continuing discussions to establish the service charge budgets at Smithfield Market in the lead up to the finalisation of the service charge cap.

Financial Information - Markets & Consumer Protection Markets Committee

	2015/16 Actual	2016/17 Original Budget	2016/17 Revised Budget (latest approved)	2016/17 Forecast Outturn		2017/18 Original Budget	N.B.
	£'000	£'000	£'000	£'000	%	£'000	
Employees	5,080	5,282	5,391	5,367	99.6%	5,600	
Premises	4,389	5,063	4,428	4,302	97.2%	5,012	
Transport	81	48	112	112	100.0%	60	
Supplies & Services	949	947	1,002	998	99.6%	972	
Third Party Payments	1,837	1,861	1,921	1,921	100.0%	1,900	
Transfer to Reserve	0	21	0	0	0	76	
Total Expenditure	12,336	13,222	12,854	12,700	98.8%	13,620	
Total Income	(11,181)	(11,716)	(11,289)	(11,433)	101.3%	(12,358)	
Total Local Risk	1,155	1,506	1,565	1,267	81.0%	1,262	1.
Central Risk	(4,775)	(5,020)	(6,461)	(6,542)	101.3%	(5,822)	
Recharges	1,916	2,025	2,096	2,096	100.0%	2,081	
Total Expenditure (All Risk)	(1,704)	(1,489)	(2,800)	(3,179)	113.5%	(2,479)	

N.B.

1. Excludes Local Risk amounts spent by the City Surveyor

Consultation

The following Corporate contacts have been consulted in the preparation of this plan:

- Town Clerk's Department – Human Resources Business Partner
- Chamberlain's Department – Finance Business Partner
- Chamberlain's Department – Information Systems Business Partner
- Corporate Project and Equality Manager
- City Surveyor's Department
- Corporate Programme Office
- Town Clerk's Policy Officer
- Corporate Risk Manager

In addition, members of staff at each market have been invited, via local team meetings and briefings, to make suggestions and comments as to the content of the plan, including the identification of Service Improvement Objectives and Operational Performance Indicators.

The final version of the Plan will be published on the Department's intranet pages and a link to this will be emailed to all members of staff. Line Managers will make hard copies available to those members of staff who do not have regular access to a computer.

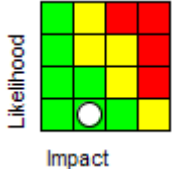
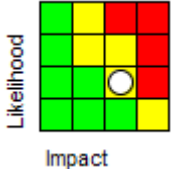
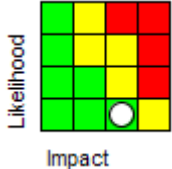
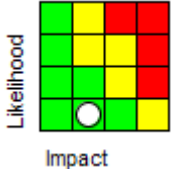
Markets Summary Risk Register

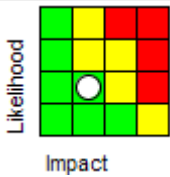
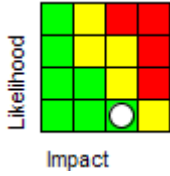
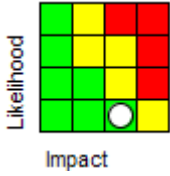
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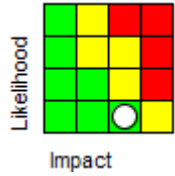
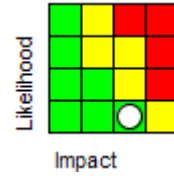
Report Author: John Smith

Generated on: 31 March 2017

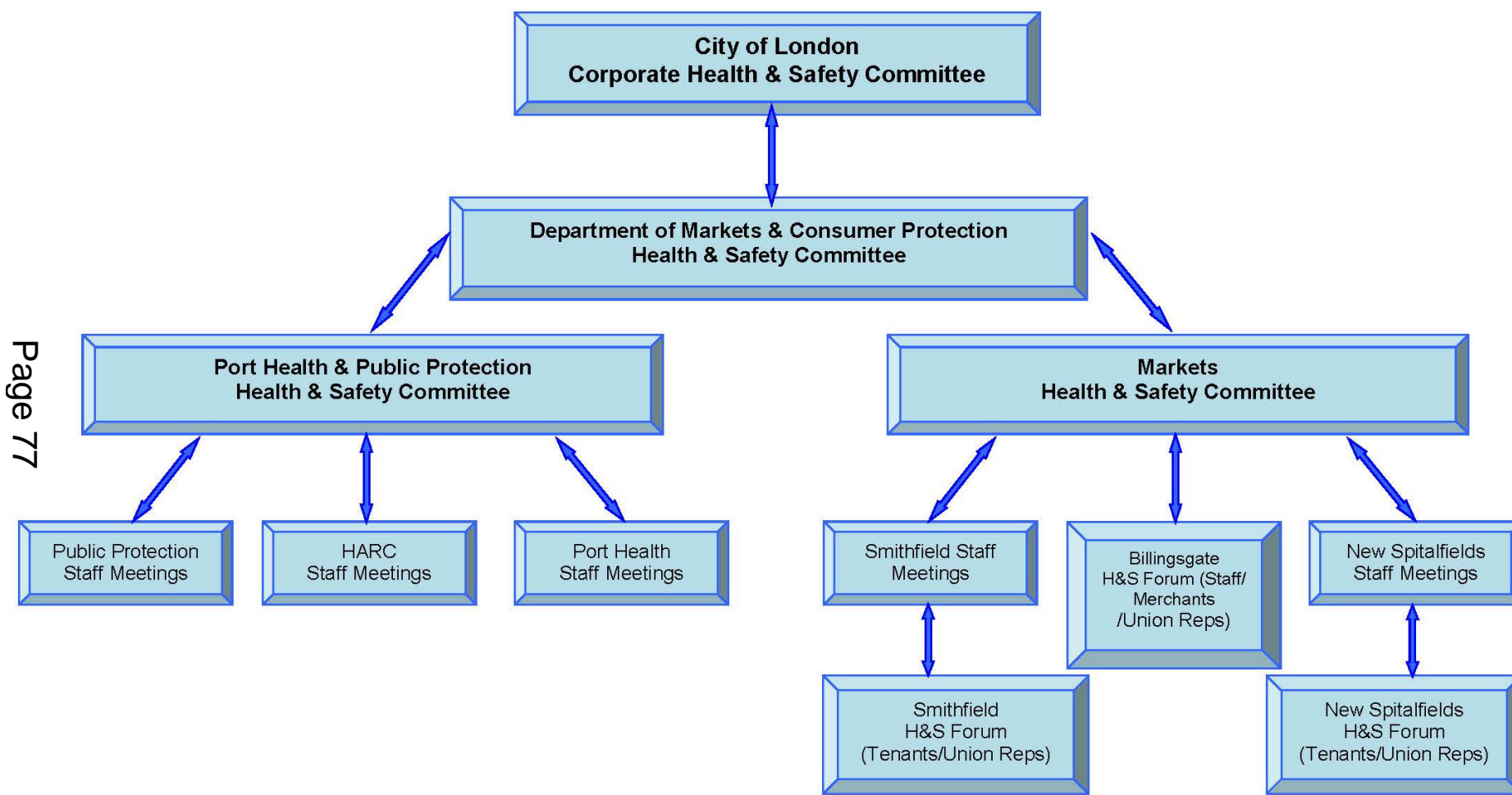
Code	Description (Cause, Event, Impact)	Risk owner	Current Risk Matrix	Target Risk Matrix	Target Date
MCP-NS 001	<p>Cause: Over 200 forklift trucks operate on the New Spitalfields Market site.</p> <p>Event: There is a serious risk of life changing injury to a pedestrian if vehicle movements in this constrained space are not appropriately managed and controlled.</p> <p>Effect: An accident involving a pedestrian and a vehicle which resulted in a serious or life changing injury could result in prosecution, a fine, reputational damage for the City and have an adverse impact on the operation and sustainability of the service.</p>	Ben Milligan			29-Dec-2017
MCP-SM 001	<p>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.</p>	Mark Sherlock			31-Mar-2017

Code	Description (Cause, Event, Impact)	Risk owner	Current Risk Matrix	Target Risk Matrix	Target Date
	<p>Event: Serious or life changing injury to members of the public, market staff and other service users caused by uncontrolled or unguided reversing vehicles.</p> <p>Effect: Realisation of this risk could result in a prosecution, fine and reputational damage for the City.</p>				
MCP-SM 002	<p>Cause: Inadequate management and maintenance of the cooling towers at Smithfield Market.</p> <p>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.</p> <p>Effect: If this risk were to be realised it would result in prosecution, a fine and reputational damage for the City.</p>	Mark Sherlock			31-Jul-2016
MCP-SM 003	<p>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</p>	Mark Sherlock			31-Dec-2016

Code	Description (Cause, Event, Impact)	Risk owner	Current Risk Matrix	Target Risk Matrix	Target Date
	<p>road space.</p> <p>Event: Road Traffic Accident resulting in fatality or serious injury to pedestrians crossing between market buildings on East Poultry Avenue.</p> <p>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.</p>				
MCP-SM 004	<p>Cause: Failed condenser water supply.</p> <p>Event: Shutdown of essential water supply to Smithfield Market.</p> <p>Impact: Realisation of this risk could result in a prosecution, fine and reputational damage for the City.</p>	Mark Sherlock			30-Sep-2016
MCP-SM 005	<p>Cause: Failed electricity power supply.</p> <p>Event: Breakdown of essential electricity supply for Smithfield Market.</p> <p>Impact: If this risk were to be realised it would result in loss of</p>	Mark Sherlock			30-Dec-2016

Code	Description (Cause, Event, Impact)	Risk owner	Current Risk Matrix	Target Risk Matrix	Target Date
MCP-SM 006	<p>trade, reputational damage and civil litigation resulting from loss of trade and produce.</p> <p>Cause: Failure to achieve Food Hygiene accreditation.</p> <p>Event: Closure of the Market as a result of not retaining approval under Food Hygiene Regulations.</p> <p>Impact: Unable to facilitate operation of Market premises, reputational damage to Smithfield Market, City Corporation and Market traders. Possible civil litigation for loss of business and reputational damage.</p>	Mark Sherlock			30-Dec-2016

Departmental Health and Safety Management Structure



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Draft Corporate Plan 2018 - 23

The City of London Corporation is the governing body of the Square Mile dedicated to a thriving City, supporting a strong, sustainable and diverse London within a globally-successful UK.

We aim to...

Benefit society

By fostering a culture of inclusivity, opportunity and responsibility

Shape the future City

By strengthening its connectivity, capacity and character

Secure economic growth

By promoting the City as the best place in the world to do business

Everything we do supports the delivery of these three strategic objectives. We measure our performance by tracking our impact on twelve outcomes:

People

- People live enriched lives and reach their potential
- People enjoy good health and well-being
- People enjoy our thriving and sustainable public spaces
- People are safe and feel safe

Place

- The Square Mile is the ultimate co-working space: flexible, secure and inspiring
- The Square Mile is digitally and physically well-connected and responsive
- The Square Mile is known for world-leading culture and creativity
- The Square Mile has outstanding public spaces, retail, leisure and hospitality

Prosperity

- The City has the world's best access to global markets and regulatory framework
- The City is the global hub for business innovation – new products, new markets and new ways of doing business
- The City nurtures and has access to the skills and talent it needs to thrive
- The City's activities at home and abroad are known to benefit society and business

What we are responsible for...

London's world-leading financial and business centre, the Square Mile's local authority services, City of London Police, national economic security, London's Port Health Authority, five Thames bridges, London's biggest independent grant-maker, the UK's highest performing group of secondary Academies, three independent schools, Europe's largest multi-arts centre, numerous cultural and educational institutions, three wholesale markets, safe UK animal trade, housing, landholdings and historic green spaces

We want to...

Deliver far more for the City, the capital and the country by collaborating with our unique breadth and depth of partners and stakeholders

Our unique selling points are...

- Our independent voice
- Our convening power and reach
- Our long-held traditions yet ability to be a catalyst for change
- Our long-term view and local, regional, national and global perspectives
- Our private, public and voluntary sector expertise

We commit to...

- Unlocking the potential of our many assets – our people, our stakeholders, our relationships, our buildings and the valued cultural, educational, environmental and commercial assets we oversee
- Championing diversity and London's cosmopolitan nature
- Listening to our customers and providing excellent services
- Being active partners, open to challenge, leading and learning
- Innovation, always looking for ways to deliver more and add value through new technologies and smart approaches
- Good governance, by driving the relevance, responsibility, reliability and radicalism of everything we do
- Upholding our values – Lead, Empower, Trust - and displaying passion, pace, pride and professionalism in everything we do

Committee: Markets Committee	Date: 10 May 2017
Subject: Markets Committee Risk	Public
Report of: David Smith Director of Markets and Consumer Protection	For Information
Report author: John Smith Department 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 for this Committee to consider are:

- MCP-NS 001 – Workplace Traffic Management (Current Risk: AMBER)
- MCP-BG 001 – Workplace Transport (Current Risk: AMBER)
- MCP-SM 001 – HGV Unloading Operations (Current Risk: RED)

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.

Current Position

2. This report provides an update of the key risks that exist in relation to the operations of the wholesale markets within 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 regular 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 regular 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, has one RED risk and two AMBER risks:

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

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 or life changing injury 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-BG 001 – Workplace Transport (Current Risk: AMBER)

Following receipt of the findings of a recent audit of forklift truck controls at Billingsgate Market, the Workplace Transport risk has been reviewed and assessed as Amber. All of these activities are undertaken in an area under the direct control of the City. An action plan is being formulated by the Superintendent to address the recommendations arising from the audit.

An accident involving a pedestrian and a vehicle which resulted in a serious or life changing injury could result in prosecution, a fine, reputational damage for the City.

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, on an area under the overall control of the City, could result in a serious or life changing injury to pedestrians, caused by uncontrolled or unguided reversing vehicles.

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

This risk is still rated as RED as although some safety improvements have been made, as yet, we do not have the full support of the market tenants and their co-operation is key to reducing this risk.

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

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MCP Markets Committee Risk Report Appendix A

Report Author: John Smith

Generated on: 25 April 2017



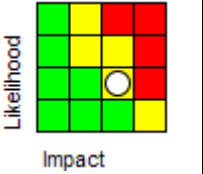
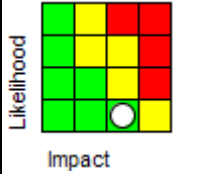

Rows are sorted by Risk Score

Code & Title: MCP-NS New Spitalfields Risk Register 1 MCP-SM Smithfield Risk Register 1

Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
MCP-SM 001 HGV Unloading Operations Feb-2015 Mark Sherlock	<p>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.</p> <p>Event: Serious or life changing injury to members of the public, market staff and other service users caused by uncontrolled or unguided reversing vehicles.</p> <p>Effect: Realisation of this risk could result in a prosecution, fine and reputational damage for the City.</p>		16	<p>The target risk score has been increased from a medium to high Amber as this is what we believe can be reasonably achieved in a short time frame. Once we get to this level we will develop actions to reduce the risk further.</p> <p>25 Apr 2017</p>		12	30-Jun-2017	↔ No change

Action no, Title,	Description	Latest Note	Managed By	Latest Note Date	Due Date
MCP-SM 001e Review infrastructure	Review signage, barriers and pedestrian crossing points and make improvements where required.	The signage audit has been the subject of a recent meeting with the DBE. Updates are planned together with a revised schedule for repainting.	Mark Sherlock	06-Apr-2017	30-Jun-2017
MCP-SM 001f Review delivery practices	Work with the Market Tenants' Association to review sender delivery practices.	The SMTA have agreed a meeting to discuss progress before the January Freight Transport Association visit.	Mark Sherlock	06-Jan-2017	30-Jun-2017
MCP-SM 001g Produce guidance for drivers	Produce a pamphlet containing site rules and a map showing delivery points for each stand.	The FTA been completed and a revised action plan produced. Further meetings are planned with the SMTA to progress.	Mark Sherlock	06-Apr-2017	30-Jun-2017

MCP-SM 001h Monitor traffic routes.	Monitor market traffic routes.	Regular checks of pallets in loading bays are conducted by the constabulary and a fall in the amount of loading bays blocked by produce has been recorded. As a result, The Market Superintendent has addressed this by writing to identified transport delivery companies. As a result there has been significant improvement.	Mark Sherlock	06-Apr-2017	30-Jun-2017
MCP-SM 001i Review unloading practices	Work with the Market Tenants' Association to review unloading practices.	The COL has made clear to the SMTA that its current level of training is unacceptable. The SMTA have agreed to commission suitable refresher training with the Freight Transport Association and this will be implemented by the end of April 2017, holding sessions on a quadrant by quadrant basis as before. In addition local training by the Head of Maintenance in new barriers and equipment has been completed. Loading bay equipment training took place on the 11th October and tenants have been supplied with a handbook explaining how to operate the equipment.	Mark Sherlock	06-Jan-2017	30-Jun-2017
MCP-SM 001j Review forklift management.	Review and implement the local forklift truck management scheme.	The current FLT scheme policy and procedure has been reviewed and a couple of minor amendments made. The revised policy and procedure has been issued to the market constabulary. The market constabulary have also been briefed this morning on the importance of overseeing safe FLT operations and speaking to and recording all those operators who fail to comply.	Mark Sherlock	11-Apr-2017	30-Jun-2017

Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
MCP-BG 001 Workplace Transport 26-Apr-2017	<p>Cause: A lack of suitable and sufficient training and adequate management controls in relation vehicle movements at Billingsgate Market.</p> <p>Event: There is a risk of a life changing injury to a pedestrian if vehicle movements including forklift trucks are not appropriately managed and controlled.</p> <p>Effect: An accident involving a pedestrian and a vehicle which resulted in a serious or life changing injury could result in prosecution, a fine, reputational damage for the City.</p>		8			4	29-Dec-2017	 Increased Risk Score

Action no, Title,	Description	Latest Note			Managed By	Latest Note Date	Due Date
MCO-BG 001a Produce action plan	Formulate develop and agree a short, medium and long term plan to improve the management of workplace transport at Billingsgate Market.	We intend to utilise the policy and system currently in use at Spitalfields Market with some minor changes. This will be fully implemented by the end May 2017.					31-May-2017

Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
MCP-NS 001 Workplace Traffic Management 24-Feb-2015 Ben Milligan	Cause: Over 200 forklift trucks operate on the New Spitalfields Market site. Event: There is a serious risk of life changing injury to 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 or life changing injury could result in prosecution, a fine, reputational damage for the City and have an adverse impact on the operation and sustainability of the service.	 Likelihood	12	Target date moved to allow more time for changes to parking and unloading operations. 08 Feb 2017	 Likelihood	8	29-Dec-2017	 No change

Action no, Title,	Description	Latest Note	Managed By	Latest Note Date	Due Date
MCP-NS 001i Train Managers In Forklift Safety	A member of staff from all tenants to be nominated and trained in FLT safety procedures.	Meeting held with Morgan Training Solutions. They will build a training scheme now to deliver to 15-20 managers at a time. COL will sign off course content and the SpMTA will facilitate the booking/promotion.	Ben Milligan	08-Feb-2017	29-Dec-2017
MCP-NS 001j Create Time Segregation	Artic Time Segregation and No Tolerance in market hall.	A parking policy has now been implemented that encompasses HGV parking. Penalty charge notices have been implemented to ensure that vehicles park in their respective areas. Curtain side trucks now have special provision for their parking and unloading. An offence has been created for forklift drivers unloading HGVs outside loading times allowable around the market. HGVs onsite must not unload around the market beyond 3am up until 8am. Once the car park at the far end of the market has been reviewed and the parking changed, as required, these HGVs will not be allowed to unload around the market between 12 midnight and 8am. This is the next step in the process.	Ben Milligan	08-Feb-2017	29-Dec-2017
MCP-NS 001k Install Barrier System	Controlled barriers entry system for pedestrians and vehicles.	Project, Project Sub, and Markets Committees all passed with no issues. Procurement are now inviting potential installation companies in to show the level of technical solution they believe should be installed. Once this has occurred, a detailed gateway 5 report will be created for final sign off at the Markets Committee.	Ben Milligan	07-Sep-2016	01-Oct-2018

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