

## **MARKETS COMMITTEE**

**Wednesday, 11 May 2016**

Minutes of the meeting of the Markets Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Wednesday, 11 May 2016 at 11.30 am

### **Present**

#### **Members:**

Randall Anderson	Deputy Alastair King
Chris Boden	Edward Lord
Deputy Michael Cassidy	Professor John Lumley
Karina Dostalova	Alderman Julian Malins
Alderman John Garbutt	Wendy Mead
Deputy Stanley Ginsburg	Deputy Robert Merrett
Deputy Brian Harris	Deputy Joyce Nash
Tom Hoffman	Chris Punter
Michael Hudson	John Scott
Deputy Jamie Ingham Clark	Patrick Streeter
Ann Holmes	James Tumbridge
	Mark Wheatley

### **In Attendance**

Michael Welbank (Chief Commoner)

#### **Officers:**

Gemma Stokley	- Town Clerk's Department
Julie Smith	- Chamberlain's Department
Paul Hickson	- Comptroller and City Solicitor's Department
Nicholas Sommerville	- City Surveyor's Department
Steven Chandler	- City Surveyor's Department
Andrew Crafter	- City Surveyor's Department
Julie Zhu	- Press Officer, Town Clerk's Department
David Smith	- Director, Markets and Consumer Protection
Ben Milligan	- Superintendent, New Spitalfields Market
Matthew Hill	- Superintendent, Smithfield Market
Malcolm Macleod	- Superintendent, Billingsgate Market
Donald Perry	- Markets and Consumer Protection Department

#### **1. APOLOGIES**

Apologies for absence were received from Nicholas Bensted-Smith, Deputy John Chapman, Oliver Lodge, Ian Seaton and Angela Starling.

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

There were no declarations.

3. **ORDER OF THE COURT OF COMMON COUNCIL**

The Order of the Court of Common Council dated 21 April 2016 appointing the Committee and setting out its Terms of Reference was received.

4. **ELECTION OF CHAIRMAN**

The Committee proceeded to elect a Chairman in accordance with Standing Order No.29.

The Town Clerk read a list of Members eligible to stand and John Scott, being the only Member expressing his willingness to serve, was duly elected as Chairman of the Committee for the ensuing year.

The Chairman thanked the Committee for their continued support and welcomed Randall Anderson and Deputy Michael Cassidy to the Committee following their appointment at the April meeting of the Court of Common Council.

He also took the opportunity to thank the five Commoners who had now left the Committee for their contribution, viz. Deputy Dr. Giles Shilson, James de Sausmarez, Elizabeth Rogula, Graham Packham and Deputy John Barker.

Finally, the Chairman welcomed Deputy Michael Welbank, the new Chief Commoner to the meeting.

5. **ELECTION OF DEPUTY CHAIRMAN**

The Committee proceeded to elect a Deputy Chairman in accordance with Standing Order No.30.

The Town Clerk read a list of Members eligible to stand and James Tumbridge, being the only Member expressing his willingness to serve, was duly elected as Deputy Chairman of the Committee for the ensuing year.

6. **APPOINTMENT OF REFERENCE SUB COMMITTEE**

The Committee proceeded to appoint a Reference Sub Committee for the ensuing year.

In response to a question, the Town Clerk reported that the Reference Sub Committee had last met in November 2014. A Member commented that it was, nevertheless, useful to continue to have a Reference Sub Committee to help maintain momentum on certain, long running, issues.

**RESOLVED** – That the terms of reference and composition of the Reference Sub Committee be agreed, with a Membership for the ensuing year 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. **PUBLIC MINUTES**

The public minutes of the meeting held on 2 March 2016 were considered and approved as a correct record.

### **MATTERS ARISING**

**Smithfield Market Christmas Traffic Plan Review** (page 6) – In response to a question, the Chairman clarified that the car parking charges report would now be brought to the Markets Committee in July 2016 as the review had taken longer than originally anticipated.

**Strategic Review of the Markets** (page 9) – The Director reported that a GLA Market Review of all London Markets was about to commence with the GLA now in the final stages of appointing a consultant. It was anticipated that the City could utilise much of the research that was to be undertaken as part of their own review of the City Corporation's Markets.

A Member commented that it was important for the City to protect its interests under this review and to determine their own preferred course of action for the City Markets. The Director reminded the Committee that, with two of the City Corporation's markets located outside of the City, any relocation of these would, inevitably, involve the GLA.

The Director reported that he had been invited to sit on the GLA Steering Group for the Review and that the City had also been consulted on the terms of reference.

In response to a question, the Director confirmed that the GLA Review would be at no cost to the City Corporation.

**Billingsgate Fraud** (page 10) – The Director reported that the individual concerned had now been sentenced to 2 years and 8 months imprisonment after being found guilty of 14 charges of fraud.

The Committee were informed that the sentencing had received some publicity in both the Evening Standard and the Daily Mail.

In response to questions, the Director reported that the City Corporation now intended to recover as much of the money stolen as possible under the Proceeds of Crime Act. The accused's lawyer had said that the individual was in the process of selling his home in order to re-pay some of the money stolen. This had been taken into account as mitigation and possibly led to a reduced sentence.

8. **MARKETS BUSINESS PLAN UPDATE PERIOD 3 2015/16 (DECEMBER - MARCH)**

The Committee received a report of the Director of Markets and Consumer Protection providing Members with an update on progress for Period 3 (December-March) of 2015-16 against key performance indicators (KPIs) and objectives outlined in the Markets' Business Plan.

In response to questions regarding sickness absence, the Superintendent of Billingsgate Market reported that his figures had, unfortunately, continued above target in both April and May. He confirmed that the figures included three long-term sickness cases but that there were also some short-term sickness issues amongst staff. He recognised that this was a major issue but one which he was determined to overcome and was discussing with Corporate HR.

In response to further questions, the Director of Markets & Consumer Protection confirmed that some staff who had been absent through long-term sickness had now left the City Corporation's employment.

In response to questions regarding income generated by the Billingsgate car park, the Superintendent of Billingsgate Market reported that the income was split with 20% attributed to local risk and 80% to central risk. The Chamberlain clarified that Business Plan Updates reported on local risk only but that the Committee would receive information on central risk as part of the Revenue Outturn report at their next meeting in July 2016.

In response to questions regarding the review of Smithfield car park charges, the Superintendent of Smithfield Market reported that he was mindful of the Department of Built Environment's (DBE) car parking review and was hoping to 'dove tail' with this. He added that he was conscious that the overarching DBE car parking review may have implications for the Market.

The Chairman reported that the High Commissioner of Malawi and London Mayoral candidate Zac Goldsmith had also visited Billingsgate Market in recent weeks.

With regard to the information provided to the Committee on Filming/Photography the Chairman reported that Officers had been asked to ensure that the format of this was consistent going forward and that any fees charged would also be detailed where applicable.

**RESOLVED** - That, the Committee notes the content of the report and its appendices.

9. **2016-19 BUSINESS PLAN**

The Committee considered a report of the Director of Markets and Consumer Protection seeking approval for the 2016-2019 Business Plan of the City of London's Wholesale Markets, which are part of the Department of Markets and Consumer Protection.

The Chairman highlighted that Markets Operational Performance Indicator 2 (MKPI2) would be amended to read “100% of debts to be settled within 90 days” to reflect the current Committee strategy.

A Member requested that, on the risk register the narrative under ‘effect’ for MCP-SM 002 and MCP-SM 005 be amended to read “if this risk were to be realised it could result in prosecution.....” as opposed to would result in prosecution.

**RESOLVED** – That, Members approve the Markets Business Plan 2016-2019 and its appendices.

10. **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.

The Chairman highlighted that there were currently no red risks for the Committee to note.

The Chairman informed Members that the review dates contained within the table at Appendix A detailed the last review date for each risk. For example, those listed as having been reviewed in January 2016, would continue to be reviewed on a quarterly basis.

In response to a question, the Director confirmed that, whilst there were no risks within the report for Billingsgate Market, this did not mean that there were no risks on this site it simply reflected the fact that none of these were serious enough to be covered as a Departmental Risk.

**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 its operations.

11. **ENTRY BARRIER - NEW SPITALFIELDS MARKET (NSM)**

The Committee considered a report of the Director of Markets and Consumer Protection regarding the installation of a payment barrier at the front gate of New Spitalfields Market.

The Superintendent of New Spitalfields Market informed the Committee that this report had been approved by the Projects Sub Committee earlier this morning where it was well received by the Chairman.

A Member questioned whether consideration might be given to introducing annual passes which might assist in speeding up entry through the barriers and also encouraging more frequent visits to the site. The Director confirmed that the project would now progress to Gateway 4 and a feasibility study and that this and other options could be considered.

**RESOLVED** – That Members approve the installation of a payment barrier at the front gate of New Spitalfields Market and note that no City funding will be required. Funds to install the barrier will come solely from New Spitalfields Market resources. £1m of ring fenced money has been set aside in the Market's funds/reserves. This will easily cover the costs of implementation. Revenue received will replenish these reserve funds before any money is allocated to planned works/improvements or the service charge.

**12. NON-TENANT WASTE**

The Committee received a report of the Director of Markets and Consumer Protection providing Members with an update on the issue of non-tenant waste at the City's Wholesale food markets as requested at the March Markets Committee meeting.

The Chairman thanked Officers for producing this report. He reported that the Smithfield Market Tenant's Association were now taking up the issue of waste on site with tenants more actively.

**RESOLVED** – That, Members note the report.

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

**Superintendents' Oral Updates**

A Member questioned why Superintendents' Oral Updates had not featured on today's agenda given that the Committee had only recently requested that this be a standing item. The Chairman reported that he and the Director had taken the decision to remove the item from today's agenda as each Superintendent had provided a written update on issues at their respective sites within the Business Plan. It was therefore felt that, on this occasion, a separate update item would lead to unnecessary duplication.

Members stated that the inclusion of this item on each agenda was a Committee decision and requested that it now feature on every occasion even if Superintendent's simply stated that they had nothing further to report.

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

**Smithfield Market Committee Visit**

The Chairman, on behalf of the Committee, thanked the Superintendent of Smithfield Market and his team for this morning's successful and informative Committee visit to the site.

15. **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:-

<b>Item No.</b>	<b>Paragraph(s)</b>
16	1, 3 & 5
17	3, 5 & 7
18 – 19	3
20	1, 3 & 5

16. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 2 March 2016 were considered and approved as a correct record.

17. **DEBT ARREARS MARKETS - PERIOD ENDING 31ST MARCH 2016**

The Committee received a report of the Director of Markets and Consumer Protection informing Members of invoiced income raised and outstanding as at 31<sup>st</sup> March 2016 from 31 days to 121+ days.

18. **SMITHFIELD MARKET - CONDENSER WATER COOLING SYSTEM - OPERATING TEMPERATURE**

The Committee received a report of the City Surveyor explaining the background to the operating temperature of the Market's condenser water cooling system as requested at the last Markets Committee meeting and the latest developments.

19. **POULTRY MARKET- REPAIRS PROJECT**

The Committee considered and approved a report of the City Surveyor regarding the Poultry Market repairs project.

20. **TENANCIES AT WILL AND ASSIGNMENTS**

The Committee received a report of the Director of Markets and Consumer Protection on the Tenancies at Will that have been granted at the City of London's Wholesale Markets and on lease assignments.

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

Questions regarding approaches from developers on the City's market sites and the Spitalfields Market lease renewal negotiations were raised in the non-public session.

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

There were no additional, urgent items of business for consideration in the non-public session.

**The meeting ended at 12.40 pm**

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Chairman

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