

Markets Committee

Date: WEDNESDAY, 11 MAY 2016

Time: 11.30 am

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

Members: Randall Anderson Oliver Lodge

Nicholas Bensted-Smith Edward Lord

Alex Bain-Stewart Professor John Lumley Christopher Boden Alderman Julian Malins

Revd. William Campbell-Taylor Wendy Mead

Deputy Michael Cassidy
Deputy John Chapman
Dominic Christian
Deputy Robert Merrett
Deputy Joyce Nash
Graham Packham

Karina Dostalova Chris Punter
Alderman John Garbutt Adam Richardson

Deputy Stanley Ginsburg
Deputy Brian Harris
Tom Hoffman
Ann Holmes
Michael Hudson
John Scott
Ian Seaton
Angela Starling
Patrick Streeter
David Thompson

Deputy Jamie Ingham Clark
Deputy Alastair King

James Tumbridge
Mark Wheatley

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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, 21 April 2016, 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 2 March 2016.

For Decision

(Pages 5 - 12)

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

Report of the Director of Markets and Consumer Protection.

For Information

(Pages 13 - 34)

9. **2016-19 BUSINESS PLAN**

Report of the Director of Markets and Consumer Protection.

For Decision

(Pages 35 - 50)

10. MARKETS COMMITTEE RISK

Report of the Director of Markets and Consumer Protection.

For Information

(Pages 51 - 62)

11. ENTRY BARRIER - NEW SPITALFIELDS MARKET (NSM)

Report of the Director of Market and Consumer Protection.

For Decision

(Pages 63 - 70)

12. **NON-TENANT WASTE**

Report fo the Director of Markets and Consumer Protection.

For Information

(Pages 71 - 78)

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

14. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

15. **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

16. **NON-PUBLIC MINUTES**

To agree the non-public minutes of the meeting held on 2 March 2016.

For Decision

(Pages 79 - 84)

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

Joint report of the Chamberlain and the Director of Markets and Consumer Protection.

For Information

(Pages 85 - 94)

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

Report of the City Surveyor.

For Information

(Pages 95 - 100)

19. POULTRY MARKET- REPAIRS PROJECT

Report of the City Surveyor.

For Decision

(Pages 101 - 108)

20. TENANCIES AT WILL AND ASSIGNMENTS

Report of the Director of Markets and Consumer Protection.

For Information

(Pages 109 - 110)

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

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

Agenda Item 3

MOUNTEVANS, Mayor	RESOLVED: That the Court of Common
	Council holden in the Guildhall of the City of London on Thursday 21st April 2016, doth
	hereby appoint the following Committee until the first meeting of the Court in April, 2017.

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 2016/17

ALDERMEN

- 2 John Garbutt
- 2 Julian Henry Malins, Q.C.

COMMONERS

14	Joyce Carruthers Nash, O.B.E., Deputy	Aldersgate
4	John Stuart Penton Lumley, Professor	Aldersgate
2	David James Thompson	Aldgate
8	Robert Allan Merrett, Deputy	Bassishaw
3	Jamie Ingham Clark, Deputy	Billingsgate
15	Stanley Ginsburg J.P., Deputy	Bishopsgate
4	Patrick Thomas Streeter	Bishopsgate
1	Oliver Arthur Wynlane Lodge, T.D.	Bread Street
9	Brian Nicholas Harris, Deputy	Bridge and Bridge Without
7	John George Stewart Scott, J.P	Broad Street
3	Christopher Paul Boden	Castle Baynard
10	Michael Hudson	Castle Baynard
3	Nicholas Michael Bensted-Smith, J.P	Cheap
1	Michael John Cassidy, C.B.E., Deputy	Coleman Street
4	Ian Christopher Norman Seaton	Cornhill
4	Angela Mary Starling	Cripplegate Within
4	Christopher Punter	Cripplegate Without
4	Mark Raymond Peter Henry Delano Wheatley	Dowgate
12	Alex Bain-Stewart, J.P.	Farringdon Within
4	Karina Dostalova	Farringdon Within
4	Wendy Mead, O.B.E.	Farringdon Without
4	Charles Edward Lord, O.B.E., J.P	Farringdon Without
10	John Douglas Chapman, Deputy	Langbourn
1	Dominic Gerard Christian	Lime Street
3	The Revd. William Goodacre Campbell-Taylor	Portsoken
15	Alastair John Naisbitt King, Deputy	Queenhithe
8	James Richard Tumbridge	Tower
7	Tom Hoffman	Vintry

Together with the following Members appointed in place of the three Wards (Candlewick, Cordwainer and Walbrook) not making appointments on this occasion:-

Randall Keith Anderson Ann Holmes Adam Fox McCloud Richardson

4. Terms of Reference

To be responsible for:-

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

Committee(s):	Date(s):
Markets	11 May 2016
Subject:	Public
Appointment of the Reference Sub-Committee	
Report of:	For Decision
Town Clerk	

Summary

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.

Recommendation(s)

Members are asked to:

- Approve the Sub-Committee's composition and Terms of Reference; and
- Appoint a Sub-Committee for the 2016/17.

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)
- Michael Hudson
- Karina Dostalova
- Deputy Stanley Ginsburg
- Edward Lord
- Deputy Joyce Nash
- Deputy Dr Giles Shilson
- Vacancy
- 7. The Sub-Committee did not meet during 2015/16.
- 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.

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MARKETS COMMITTEE

Wednesday, 2 March 2016

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

Present

Members:

John Scott (Chairman)

James Tumbridge (Deputy Chairman)

Ann Holmes

Edward Lord

Alex Bain-Stewart Professor John Lumley
Deputy John Barker Alderman Julian Malins

Nicholas Bensted-Smith Wendy Mead

Chris Boden Deputy Robert Merrett
Deputy John Chapman Deputy Joyce Nash
Alderman John Garbutt Graham Packham
Deputy Stanley Ginsburg Chris Punter

Deputy Brian Harris James de Sausmarez

Tom Hoffman Angela Starling
Michael Hudson Patrick Streeter

Deputy Jamie Ingham Clark

In Attendance

Officers:

Gemma Stokley - Town Clerk's Department
Caroline Al-Beyerty - 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
Nicholas Sommerville - City Surveyor's Department

David Smith - Director of Markets and Consumer Protection

Matthew Hill

- Smithfield Market Superintendent

Malcolm Macleod

- Superintendent, Billingsgate Market

Ben Milligan

- Superintendent, New Spitalfields Market

Donald Perry - Markets and Consumer Protection Department

1. APOLOGIES

Apologies for absence were received from Karina Dostalova, Elizabeth Rogula, Ian Seaton, Deputy Dr. Giles Shilson, David Thompson and Mark Wheatley.

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

There were no declarations.

3. PUBLIC MINUTES

The public minutes of the meeting held on 27 January 2016 were considered and approved as a correct record.

MATTERS ARISING

Frequency of Meetings and Terms of Reference (page 2) – In order to clarify a point raised at the last meeting the Town Clerk reported that, in Summer 2011, the Director's responsibilities were widened and his title changed from Director of Markets to Director of Markets and Consumer Protection. In response to this, and a recommendation that relevant Committees look to see how they could encourage more 'joined up work', the Markets, Licensing and Port Health and Environmental Services Committees all agreed, in January 2013, that their terms of reference would be amended to state that the appointment of the Director would be made in consultation with each other. At no stage was there any reference to any one of the three Committees take precedent in terms of managing the appointment process.

A Member, also Deputy Chairman of the Establishment Committee, confirmed that, in cases where a Chief Officer reports to more than one Committee, the appointment panel would be chaired by the Chairman of the Establishment Committee in accordance with the Appointment of Chief Officer rules.

In response to questions, the Town Clerk confirmed that the Committee's current terms of reference were correct and fit for purpose as they ensured that this Committee had a say in the appointment of any future Directors.

Smithfield Market Christmas Traffic Plan Review (page 4) – The Superintendent of Smithfield Market reported that he had spoken to the Indigo Car Park Manager who had confirmed that, when the car park was open free of charge, the barrier remained in the up position. The barrier was only closed when the car park started to fill up in order to maintain a flow of traffic.

The Chairman reported that a further report on car parking charges would be brought to the Committee in May 2016.

Billingsgate (page 5) – In response to a question regarding the imminent retirement of the Chief Fish Inspector, the Director reassured Members that there would still be a significant Worshipful Company of Fishmongers presence on site.

4. 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 requested that any actions already completed be removed from the Risk Register and that, if an action were still on-going, the dates assigned to these be revised so that no dates were in the past.

The Chairman went on to question why there was no comment provided against Action No. MCP-3M 003b (Repaint Road Markings). The Superintendent of Smithfield Market reported that some improvements had been made recently and it was hoped that this work would be complete by December 2016.

A Member questioned why there were no actions assigned to Risk no. MCP-SM 002 (Cooling Towers) and how officers therefore expected to lower the risk in this area. Another Member questioned why there were two separate risks assigned to the cooling towers. The Head of Business Performance, Markets and Consumer Protection, reported that the second risk related to the chemical treatment of the water within the towers.

A Member questioned why, within the Summary of Key Risks, it stated that if risk MCP-SM 002 (Cooling Towers) were to be realised it <u>would</u> result in prosecution, a fine and reputational damage for the City as other risks stated only that this <u>could</u> be the case. The Director stated that he would prefer for the summary to be amended to <u>could</u> in line with the other risks.

In response to further questions, the Director reported that the treatment of the water within the cooling towers and others across the City was taken very seriously and that a whole programme of work around this was in progress.

In response to a question regarding the Risk associated with the Cooling water failure and when this would next be reviewed, the Superintendent of Smithfield Market clarified that Officers were and had been reviewing this. He added that an indicative timetable on this had recently been received from City Surveyors and was now being discussed with the Smithfield Market Tenants Association (SMTA).

5. **SUPERINTENDENTS' ORAL UPDATES**

The Superintendents were heard relative to current issues at each of their sites.

<u>Billingsgate</u>

Car Parking

The Superintendent reported that in excess of £400k of income had been generated by the car park this financial year. He reported that a permit system was currently in place. Members were informed that car park users had previously been permitted to pay for parking via mobile phone but there had been some problems with this. Automatic Number Plate Recognition technology had recently been introduced to the site. This would allow officers to specifically target people with penalty charges.

Finally, the Superintendent confirmed that online renewals were to be introduced in the near future.

Early Trading

The Superintendent reported that this was a matter of concern to market tenants. Trading at the site commences at 4.00am, however, some were trading ahead of this. Members were informed that Tenants had called a meeting to rule that there should be no trading on site before 4.00am and had since issued a notice to all along these lines. They were therefore currently policing this matter amongst themselves.

Waste Dumping

The Superintendent reported that waste dumping, of polystyrene boxes and trays in particular, was an issue at the market. He reported that vehicle registration was being logged to monitor and tackle the problem and that Officers were hoping to hold a meeting with Tower Hamlet's Environmental Health team in the near future to discuss how best to tackle this going forward.

Smithfield

Condenser Water System and Pumps

The Superintendent reported that this had been identified as one of the top three areas for him to manage and control following his appointment. He went on to report that he was currently working alongside colleagues in the City Surveyor's to replace the pumps. Members were informed that this was the most pressing issue at the market for both officers and tenants at present.

SMTA Meetings

The Superintendent reported that he had developed a positive working relationship with the SMTA and that some fruitful meetings had recently taken place. He informed the Committee that they were now looking to 'wind down' the Joint Review Meetings as a number of items were 'ticked off' of the list of items to agree or review.

Waste

The Superintendent reported that a review of waste was being undertaken and that officers had recently emailed the SMTA regarding the use of cardboard cages and incentives around this. Officers would now be looking at other recycling opportunities and at littering on the site.

Deputy Mayor of London Visit

The Committee were informed that the Deputy Mayor of London had recently visited Smithfield Market at the invitation of the SMTA – unfortunately, the Superintendent had not been given any notice of this visit. The Superintendent stated that he had since received an apology for this oversight and had now also been invited to attend a number of follow up meetings.

New Spitalfields

Forklift Trucks

The Superintendent reported that, following receipt of the 'Labyrinth Report' there was no intention to ban fork lift trucks on site but that a barrier system would be introduced to control the exposure of the public/pedestrians to the trucks. There were some concerns regarding space but these were currently being looked at. The Superintendent went on to report that a compound would

be provided to a forklift training provider – the Market were now looking to appoint one provider to ensure consistency across the board.

In response to questions from the Deputy Chairman, the Superintendent confirmed that the review of forklift trucks on site would also include the potential to change all trucks from diesel to electric.

With regard to the appointment of a single forklift training provider, the Superintendent reported that he was currently engaged with a company to have a presence on site. The training provider had been selected from a choice of four. He stated that he would be actively seeking feedback from the tenants on the level of training provided. He clarified that, at present, the training provider had not been engaged for any period of time and was not a formal agreement.

Opening Times

The Superintendent reported that the market's opening times had last been reviewed in 2002. He added that it was now proposed that HGV's on the site be controlled after midnight with a grace period of 2 hours for them to offload before the market opened at 2.00am. The idea being to avoid the market becoming a 'lorry park'. The enforcement aspects of this would need to be looked at with the market constabulary.

Barrier System

The Superintendent reported that he was currently looking at a new barrier system via Procurement and that a full report would be presented to this Committee in due course. He stated that he envisaged a five barrier system where vehicles were required to pay the full charge on entry. There would be a set rate for cars using the site for 24 hours with HGV's charged according to a timed system.

Members were informed that Automatic Number Plate Recognition was already operational on site.

Self-Surrender

The Superintendent stated that he was proposing that the monthly threshold for waste per tenant be abolished and that a fee be set for self-surrender. The Committee were informed that, at present, tenants were permitted a monthly level of waste beyond which they are charged. However, some tenants currently had larger allowances than others and this had created an issue. The concern was that some tenants could, potentially, become traders in waste.

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

Strategic Review of the Markets

A Member questioned when the Committee would receive a report and policy on, amongst other things, the possible relocation of some of the City's Markets. He stated that he felt it was important to have a plan/policy in place before consulting on this and added that this was how other agencies tended to approach matters such as these.

The Chairman stated that he felt there was a danger in having any preconceived ideas before consultation.

A Member stated that it was good governance to consult on the matter first and to then look at all of the possible options and formulate a policy in principle before consulting further. He outlined that there were many stakeholders in the Markets and that it was correct that all should be consulted.

A Member stated that there would be some value in the Committee discussing the framework of options/parameters ahead of any initial consultation.

The Chairman went on to state that he felt it was unadvisable for individual Members to consult the media on these matters without speaking to the Director first.

Waste

A Member questioned whether there was a Committee policy on non-tenant waste at the Markets. The Director stated that this was actively discouraged at all sites and that anyone dumping waste required a waste transfer licence to legally do so but he confirmed that no written policy currently existed. Members were informed that some of the Markets conducted stop and searches on vehicles at the barriers to prevent those with waste entering the site.

The Chairman requested that a report on non-tenant waste and the extent of this problem be submitted to the next meeting of this Committee. Members also requested that the report outline the options available to the Committee and Officers in terms of penalties.

7. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT Billingsgate Fraud

The Director reported that a former Administrative Manager at Billingsgate Market had, this week, been found guilty at the Old Bailey on all 14 charges against him. He added that this was a satisfactory outcome from the City of London Corporation's point of view. The individual concerned would now be sentenced at the end of April 2016.

Members were informed that a report on this matter had featured in yesterday's Evening Standard. The City Corporation had also issued a strong statement on this regarding its 'zero tolerance policy' against fraud.

The Director went on to report that a number of staff and traders had been called to give evidence at the trial.

The Chairman, on behalf of the Committee, thanked all for their hard work in bringing this to a satisfactory conclusion.

Annual Committee Dinner

Members wished to record their thanks to the Chairman for an enjoyable Committee Dinner last week.

8. 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(s)
9	2, 3 & 5
10	3
11	1, 2, 3 & 5
12	3
14	3

9. NON-PUBLIC MINUTES

The non-public minutes of the meeting held on 27 January 2016 were considered and approved as a correct record.

10. THE COST OF ADMINISTERING MARKET DEBTS - UPDATE

The Committee considered and approved a report of the Chamberlain providing Members with an update on the progress and options for recovering the administrative cost of debt for both lease related and miscellaneous charges.

11. SMITHFIELD MARKET - CONDENSER WATER COOLING SYSTEM - UPDATE

The City Surveyor was heard relative to the Smithfield Market Condenser Water Cooling System.

12. CONCESSIONARY PARKING AT SMITHFIELD MARKET DURING THE EASTER PERIOD 2016

The Committee considered a report of the Superintendent of Smithfield Market regarding concessionary free parking in the Rotunda car park over the Easter period 2016.

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

There were no questions raised in the non-public session.

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

The Committee considered and approved a late, separately circulated report of the City Surveyor regarding the Poultry Market - Asbestos Decontamination Waiver Approval and Stage 3 fee position.

The meeting ended at 1.00 pm

Chairman

Contact Officer: Gemma Stokley tel. no.: 020 7332 1407

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Committee(s):	Agenda Item
Markets	11 May 2016
Subject: Markets Business Plan Update Period 3 2015/16 (December – March)	Public
Report of: Director of Markets and Consumer Protection	For Information
Report author: Don Perry	

Summary

This report provides 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.

The report consists of:

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

Key points from the appendices to the report are:

Billingsgate.

- SBR (Service Based Review) commitments:
 - •Billingsgate car park is running at capacity and on target to produce an income in excess of £400,000 in 2015/16; the target is £305,000.
 - •The reduction of the administration team by 1 FTE, which was to be delivered by the start of 2016/17, has been achieved.
- From 1st April 2016 car park prices were reviewed, the new charges are noted in Appendix A.
- •The roof project and the Additional Facilities project are being put on hold until the full extent of how much each project will cost is established. In the meantime, short term solutions to address the corrosion problem on the roof are being sought from City Surveyors.

Smithfield.

- SBR (Service Based Review) commitments
 - •The Rotunda car park achieved an increase in income for the year of £17,314.18 compared to the SBR target of £31,000.
- •A review of car park charges has been completed and a report on the proposed changes will be brought to the July Markets Committee.
- •The new Constabulary structure was introduced in January 2016. The Superintendent is now beginning a planned review that will be completed by early June and implemented in July 2016.

Spitalfields.

- The working manual is now a final draft and its content has been agreed by the SpMTA.
- •Initial negotiations led by the City Surveyor did not reach agreement on renewal lease terms or the market rent payable at renewal. The Court has approved a proposal for dispute resolution through Arbitration, which is less expensive for both sides than formal Court action. An application to the RICS for a surveyor arbitrator will be made if a realistic offer from the tenants has not been received within the next month.
- •Actions from the Traffic Management Plan are being implemented on time.
- •Sickness MKPI 1. The underperformance at Billingsgate Market for period 3 (December March) was due to three long-term cases. The sickness for the year was exceptionally high with 319days higher than the target days of 720. The cause was due to exceptionally high cases of sickness in period 1(April July), improvements were made in period 2 and period 3. (Appendix D).
- •**People.** The third Workforce Planning Group meeting was held on 8th March and the group focused on key areas: Leadership, Mobile Working, succession Planning and the need to identify critical roles within the department.
- •Finance. At the end of February 2016, the Department of Markets & Consumer Protection was £255k (16.2%) underspent against the local risk budget to date of £1.57m, over all services now managed by the Director of Markets & Consumer Protection covering the Markets Committee

Recommendation(s):

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

Main Report

Background

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

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 (four-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 2016 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 £255k (16.2%) against the overall local risk budget to date of £1.57m for 2015/16.
- Overall the Director of Markets & Consumer Protection is currently forecasting a year end underspend position of £129k (7.5%) for his City Fund and City Cash services under his control. The table below details the summary position by Fund.

Local Risk Summary by Fund	Latest Approve d Budget	Forecast Outturn	Varianc Budget	e from
			+Deficit	/(Surplus)
	£'000	£'000	£'000	%
City Fund	48	48	0	0%
City Cash	1,670	1,541	(129)	(7.7%)
Total Markets Services Local Risk	1,718	1,589	(129)	(7.5%)

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 2016 relates mostly to underspends at Smithfield Market for salary savings on vacant cleaning posts; savings on the water, Citigen and energy budgets due to lower usage resulting from favourable weather conditions; and delays against the agreed carry forward budgets, as these works will be completed by year by the City Surveyor.
- 9. 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.

Strategic Implications

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

Consultees

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

Background Papers

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

Appendix B - Matters of general interest to the Committee.

Appendix C – Financial Information

Appendix D – Sickness statistics

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Billingsgate Market:

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Chamberlain's Department

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2015-2016 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 2015/16 (December- March inclusive).

To end of Period 3 (December - March)			Period Target	Actual days lost	Period 3 days lost (December- March)	
			(April- March)	(April- March)	Period 3 Target	Period 3 Actual
MKPI 1	Achieve an overall sickness level of no more than 6 days per person by 31 March 2016, and a total of no more than 720	Billingsgate	240	352	80	155
	days across all markets ¹ .	Smithfield	276	370	92	91
		Spitalfields	168	312	56	54
		Directorate	36	5	12	0
)		Total	720	1039	240	300

Comments: The underperformance at Billingsgate Market for period 3 (December - March) was due to three long-term cases.

The sickness for the year in the department was exceptionally high, exceeding the annual target by 319 days.

This was due to exceptionally high cases of sickness in period 1 (April – July), 406 days were lost in period 1, 333 days lost in period 2 (August – Nov) and 300 days lost in period 3(Dec-March) compared to a target for each period of 240 days.

		Target	Period	3 Result
MKP 2a	90% of debts to be settled within 60 days.	90%	Billingsgate	100%
			Smithfield	99%
			Spitalfields	99%

^{1.} Target based upon Full Time Equivalent (FTE) members of Markets staff at 31 March 2015 (no. 120).

MKP 2b	100% of debts settled within 120 days.	100%	Billingsgate	100%
			Smithfield	99%
			Spitalfields	99.4%
transferred	Smithfield. 121 plus days aged debt of £7,700.11 relates to 1 debtor. This debt belongs to $\frac{1}{2}$ Smithfield. 121 plus days aged debt of 7,920.57 relates to 15 debtors, all of which are being chased			rocess of being
MKP 3	Divert 90% of waste from landfill at the Markets	90%	Billingsgate	100%
			Smithfield	100%
			Spitalfields	100%
MKP 4	Achieve 95% occupancy of all lettable space at Billingsgate, Smithfield and New Spitalfields Markets.	95%	Billingsgate	98.5%
			Smithfield	88%
			Spitalfields	98%
	I Is: The underperformance at Smithfield Market during Period 3 is due to vacant space in ettings are on hold pending the completion of the asbestos removal element of the Poul			let while the
MKP 5	Improve the standard of incident reports, ensuring all information and evidence is gathered thoroughly and documented. All reports to be	•	Billingsgate	100%
	completed within 3 days following the reporting of an incident.		Smithfield	91.7%

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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.	December - March 2015/16
	Billingsgate Market Refresh the Code of Practice at Billingsgate to include all areas that require compliance. •The Code of Practice will clearly set out the responsibilities of the landlord, tenants and market workers in terms of day-to day market activities. •This will assist with ensuring that food hygiene standards and safety are maintained.	 Revisions to the code of practice are yet to be completed but it is planned to be completed before the end of June 2016. Key elements that are being included in the code of practice are: market hall encroachment, early Trading polystyrene box waste dumping. All of these issues are already being tackled.
Page 1	New Spitalfields Market Draft a Working Manual for New Spitalfields Market in consultation with the tenants. •The Working Manual will clearly set out the responsibilities of the landlord, tenants and market workers in terms of day-to day market activities.	•The working manual is now a final draft and its content has been agreed by the SpMTA.

	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.	December - March 2015/16
Page 20		New Spitalfields Market Manage the lease renewals in collaboration with City Surveyor's. Successful completion of the lease negotiation process.	 Initial negotiations led by the City Surveyor did not reach agreement on renewal lease terms or the market rent payable at renewal. Deloitte was engaged as the City's expert witness to act in future negotiations and any Court related proceedings. In accordance with Court Directions, in August 2015 the Comptroller & City Solicitor issued a draft lease to the Tenants' solicitor. The draft lease was returned with amendments, mostly relating to the service charge provisions, but at a meeting of solicitors good progress was made in narrowing down the contentious areas. A further meeting of solicitors and surveyors was held on 21st or 22nd January 2016. A further Directions hearing had been scheduled to take place on 5th January. However, both Parties agreed that it would be beneficial to hold a further meeting to try and narrow the differences before serving formal schedules as required by the Directions, confirming which amendments are accepted/rejected. Therefore, both the City, as defendant, and Solicitors for the tenants, as Claimant, sought an adjournment of this hearing, which was held 22nd February 2016. At that hearing a 3 month stay of proceedings for the purpose of allowing the parties to determine the issues which are not agreed by expert determination and/or arbitration was agreed. Negotiations regarding rent are ongoing but will not be finalised until lease terms are settled. The tenants' surveyor is seeking instructions to put forward an improved rent offer. The Court has approved a proposal for dispute resolution through a private arbitration, which is less expensive than formal Court action. An application to the RICS for a surveyor arbitrator will be made if a realistic offer has not been received within the next month.
		Smithfield Market Agree service specifications with the SMTA under the terms of the new leases. •The work of the Joint Specification Committee will be completed, with specification agreed for all services that are provided to our tenants. •Terms of new leases become embedded as 'business as usual'.	•The Superintendent, through the Joint Review Group (JRG), is working to finalise the cost apportionment for the cleaning and maintenance specifications. This will enable these two items to be brought to a conclusion for the Joint Specification Committee (JSC).

Billinasaate & Smithfield Markets

Implement Service Based Review (SBR) proposals.

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

Billingsgate. •From 1st April 2016 car parking prices were reviewed as follows:

- •For annual and quarterly full week parking customers and for the Mirror Group an increase of 2% per annum.
- •For monthly full week customers, an increase of 5% per annum.
- •For part week customers in addition to the base 2% increase a further increase of 2% for each day less than a full week. For example, a 1 day per week customer would pay an additional 8%, a 4 day per week customer would pay an additional 2%. Daily parking rates to remain at £10.
- ullet If the car parking usage remains the same, the price review will increase car park income by roughly £15,000 per annum.
- •The car park is still operating at capacity and applicants on the current waiting list require part week use.
- •The SBR (Service Based Review) target of £305,000 from Car parking charges has been achieved with an income in excess of £400k in 2015/16.
- •The commitment made under the SBR to reduce the administration team from 4 persons to 3 persons has been achieved.

Smithfield. •A report seeking approval for changes to current tariff arrangements will be submitted separately to this Committee in July.

- •Options of adopting a premium rate for larger good vehicles parking on the Rotunda ramp, as they are unable to access the underground level, are being considered.
- •The commitment made under the SBR was to increase the income from the car park by £31,000 by 2015/16. The budget for 2015/16, including the SBR target, was £681,000. The actual income for the year was £667,685.82, providing an increase of £17,686 against the £31,00 target.
- •Increased management costs of £48,367, of which £20,000 was refunded, will also have a negative impact on the car park total income.
- •Various campaigns to try and increase the use of the Rotunda car park are underway:-
 - -Continued use of social media car park features on 'Parkopedia'.
 - -Leaflets being distributed within neighbourhood.
- The letting of units 207, 213 and 213a in the Poultry Market, The proposed lettings are on hold pending the completion of the asbestos removal element of the Poultry Market refurbishment project.
- •Offices 202/203 and 211 are currently under offer and, of four units on the ground floor premises that were let over the Christmas period on a temporary basis; two are still being let.

December - March 2015/16

- •Prices ranging from £400k to over £3million have been estimated for the roof project. In addition to a full scale renewal, cheaper solutions with a shorter term life expectancy have been and continue to be investigated. The current roof sheets are corroded in places and there have been rainwater leaks. When there have been leaks Individual roof sheets have been replaced and this is resolving the problem in the short-term. A supply of new roof sheets is kept on site.
- •In addition, a sealant application solution is being looked at in the short term to address the corrosion problem.
- •Proposals and decisions will need to be taken soon as to whether to abandon a full scale renewal and continue with the shorter term solutions of individual panel replacement and corroded sections being managed by the sealant solution.
- •Clarity is being sought from City Surveyors regarding the length of time the short term solutions are expected to last.
- •The latest price estimate for the Additional Fish Handling Facilities project is significantly over the original estimates. Informal discussions with the tenants association, the LFMA, are strongly indicating that this project be abandoned in its entirety. As a result, tenants having containers placed on site is likely to continue into the future.
- •The above two projects were being funded by the Billingsgate Sinking Fund and fishing industry grants but, as it now seems likely that both projects will no longer proceed, the LFMA have instead requested that the Billingsgate Sinking Fund (£1.8 million approx.) be the first choice of funding for all minor modernisation /replacement projects.
- •The Sinking Fund is governed by terms and there is a requirement to consult Tower Hamlets before the fund is used, but the fund can be used for rebuilding and replacement works.
- •As soon as the fate of the roof and Additional Facilities projects becomes clear, it is proposed that the Sinking Fund be used as funding source to its full extent until all Sinking Fund monies are fully exhausted.

Billinasaate Market

Resolve internal market cleaning.

•An improvement in the overall standard of cleaning will be apparent, to all stakeholders.

New Spitalfields Market

Improve safety in relation to workplace transport operations in and around the Market Hall with a focus on forklift truck manoeuvres.

•Recommendations from the short/medium/long term Traffic Management Plans and associated procedures will be put in place, reducing the risk of accidents and near misses.

- •Billingsgate continues to be compliant with Food Hygiene regulations and standards are improving as no complaints from tenants in the reporting period of this report have been received.
- •The Johnston Sweeper vehicle used for external cleaning and the scrubber vehicle used for cleaning the flooring of the Market Hall have been replaced and the purchasing of an additional or larger capacity cardboard baler is being investigated.
- •Match funding Fishing Industry grants can be applied for in respect of machinery purchases such as a cardboard baler.
- •Improving cleaning standards will remain an objective for 2016/17.

Since the current Traffic Management Plan was implemented in early 2016, based upon the work carried out by Labyrinth, the following actions have been taken:-

- •An A-Safe barrier system has been trialled in the market. This barrier will separate pedestrians from FLTs in the 5 "fire paths" that traverse the 3 main avenues in the market hall. Following the successful trial in one part of the market, work is now underway on costs for provision in the remaining fire paths.
- •Work has previously taken place to provide crossing points on pedestrian footpaths for forklifts to cross into stands. Work is now underway to provide pedestrian crossing points at every junction in the market hall. Hatched areas are being used to ensure that no produce is stored next to crossing points thereby ensuring that crossing points are not blind.
- •FLTs are now required to operate at no more than 5mph on site.
- •All stands with mezzanine floors have been asked to account fully for their FLT loading operation in a detailed risk assessment with associated SOPs.
- •A review of the HGV operating times and parking is currently under way. Associated actions will provide safer parking and unloading, and will ensure that the bulk of forklift journeys and operations will occur at a time when the market is closed to customers.
- •A single body has been nominated to train all FLT users. A training area is being constructed for their use currently. It is expected that they will begin training at the end of April.

Smithfield Market

Put measures in place to control the risks associated with HGV Banksmen duties.

•The, currently 'amber', health and safety risk associated with Banksmen duties will be controlled and the target risk of 'amber' achieved.

- •Unloading operations, which are an Amber risk on the Department's Risk Register, are being addressed:
 - •Following a very successful meeting with the SMTA on 26th November where the FTA (Freight Transport Association) gave a presentation on its findings and recommended actions. The SMTA acknowledged that tenants have a duty to

	manage actions of their staff regarding safety on site. •An Action Plan was agreed with the SMTA in January 2016 and will be updated by the working party on 22 April 2016. •The Working Manual continues to be progressed with the FSA/SMTA. This will include Banksmen duties and FLT procedures.
Work with the City Surveyor to agree Mission Critical assets at each of our sites as part of the BRM (Building Repairs and Maintenance) Asset Verification Process • A definitive list of Mission Critical assets for M&CP properties, with an agreed Planned Preventative Maintenance schedule in place for each, which will facilitate the improved performance of the BRM contract (MITIE).	 All Markets have successfully contributed to this piece of work. Maintenance teams at each of the markets are now focussed on contributing to improving the performance of the Building Repairs and Maintenance (BRM) contract, and providing input to the preparations for the re-tendering of the contract.

4	People and Innovation. Enhance the quality of our leadership and people-management in line with the corporate values of "Lead, Empower, and Trust". Instil a greater sense of responsibility in our middle management cadre.	December - March 2015/16
	Smithfield Market Complete the restructure of the security team. •Security service meets the agreed specification and produces the required cost reductions as identified in the SBR measures.	 The new structure for the Constabulary was introduced in January 2016. The Superintendent is now beginning a period of review and consultation to assess how effective the new structure is. The review will be completed by early June 2016 and implemented in July 2016.
Page 2	Develop and implement a workforce plan which ensures that our workforce has both the capability and resources to meet the Division's business objectives. • A Departmental Workforce Plan will be published and the actions within it will have begun to be carried out.	 The third Workforce Planning Group meeting was held on 8th March and the group discussed three key areas for the department: Leadership Mobile Working Succession Planning The Group was tasked with identifying critical roles within their departments and will report back to the next meeting which is planned for early June.
25	M&CP senior managers review and implement all relevant actions from the Business improvement plan to address any gaps identified through the IiP (Investment in People) assessment. •Contributing to achieving the stretch target of Silver in September 2015.	 The City of London Corporation has achieved the 'Silver' liP level award with many improvements noted by the assessors. The Workforce Planning Group is now working on achieving the 'Gold' liP level award by September 2016.

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Matters of General Interest to the Committee

Billingsgate Market

January 2016 - March 2016

No Visits

Filming/photography

January 2016

Thursday 7th - Beard Askew - National Fish & Chips Awards -Filming - NO FEE Saturday 9th – Photography for personal use

Thursday 14th – Photography for personal use

Thursday 14th – Photography for personal use

Thursday 14th – Stink Ltd – Unit Base Parking Saturday 16th – Photography for personal use

Saturday 16th – Photography for personal use

Wednesday 20th – Don Productions – Filming

Thursday 21st – Photography for personal blog website

Friday 22nd – Photography for university student project Thursday 28th – Photography for university student project

Thursday 28th – Photography for personal use Saturday 30th – Photography for A Levels

February 2016

Wednesday 3rd – Photography for personal use Saturday 6th – Photography for personal use Saturday 6th – Photography for personal use Saturday 6th – Photography for personal use Tuesday 23rd – Photography for personal use Friday 26th – Photography for A Level Student Friday 26th – Photography for personal use

March 2016

Tuesday 1st – Photography for personal use

Tuesday 1st – Photography for university student project

Wednesday 2nd – Timeout – Stills Thursday 3rd – Lion Television – Filming

Saturday 5th – Photography for personal use

Tuesday 8th – Worldwide Ltd – Filming

Tuesday 8th – Photography for personal use

Tuesday 8th – Photography for Wentworth Club Magazine

Appendix B

Tuesday 8th – Photography for The Musselman Ltd Magazine Wednesday 9th – Photography for personal use Saturday 19th – Photography for personal use Wednesday 30th – Photography for personal use Thursday 31st – London Pride – Stills

Smithfield Market

Visitors

<u>January</u>

No visitors

February

Thursday 4th February 2016 - Site Visit - East Poultry Avenue March

Tuesday 1st March 2016 – FSA Visit Monday 7th March 2016 – Superintendent Site Visit Thursday 24th March 2016 – Site Familiarisation Visit

Filming/Photography

Wednesday 9th March 2016 - Mark Weaver - Research purposes for a food company.

Student Photography

Monday 7th March 2016 - Jessica Hay

Friday 18th March 2016 - Zach Furniss - University College London

Tuesday 5th April 2016 - Hebe Meredith - A Level Project - Downe House School

Thursday 7th April - Friday 8th April - Millie Bridges - Greenshaw High School - Final A level exam piece

Thursday 7th April 2016 - Harriet Quickenden - Student Photography Project - University of Arts London

New Spitalfields Market

Visitors

January

No visitors

February

Wednesday 3rd February - A group of Year 9 students from Lammas School studying food technology

Wednesday 16th – A group of Peruvian Exporters
Wednesday 23rd – A group of Students and Teachers from Redbridge College

Filming/Photography

Monday 15th February – Toby Roddham – photographs for use as part of Journalism Project.

Wednesday 16th March – Filming of Peruvian Exporters visit to the market, by event organiser First Protocol Event Management Ltd

Wednesday 23rd March – filming "Naked Grocer Direct"

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Department of Markets & Consumer Protection Local Risk Revenue Budget - 1st April to 29th February 2016 (Income and favourable variances are shown in brackets)

	Latest Approved Budget to Date Actual to Date Variance to Date Projected Outturn		Variance f	Variance from Latest				
	Budget 2015/16 Net Expenditu	Net Expenditure	re Net Expenditure	+Deficit / (Surplus)	+Deficit / (Surplus)	Approved Budget 2015/16		Note
	£'000	£'000	£'000	£'000	£'000	£'000	%	
Markets (City Cash)								
Directorate	427	391	394	3	436	9	2%	
Billingsgate - Corporate Account	166	152	121	(31)	148	(18)	-11%	
Billingsgate - Service Charge	0	0	0	0	0	0	0%	
Billingsgate - Repainting and Special Works	0	0	0	0	0	0	0%	
Smithfield - Service Charge	840	770	635	(135)	709	(131)	-16%	1
Smithfield - Corporate and Direct Recovered	264	242	164	(78)	248	(16)	-6%	2
Smithfield - Other (Including Car Park)	(27)	(25)	(17)	8	0	27	100%	
, , ,	1,670	1,530	1,297	(233)	1,541	(129)	-8%	
Mackets (City Fund)	·			` ,	·			
Scalifields - Corporate Account	22	20	22	2	22	0	0%	
Splialfields - Service Charge	26	24	0	(24)	26	0	0%	
Spitalfields - Repair and Repainting	0	0	0	0	0	0	0%	
	48	44	22	(22)	48	0	0%	
				,				
TOTAL MARKETS COMMITTEE LOCAL RISK	1,718	1,574	1,319	(255)	1,589	(129)	-8%	

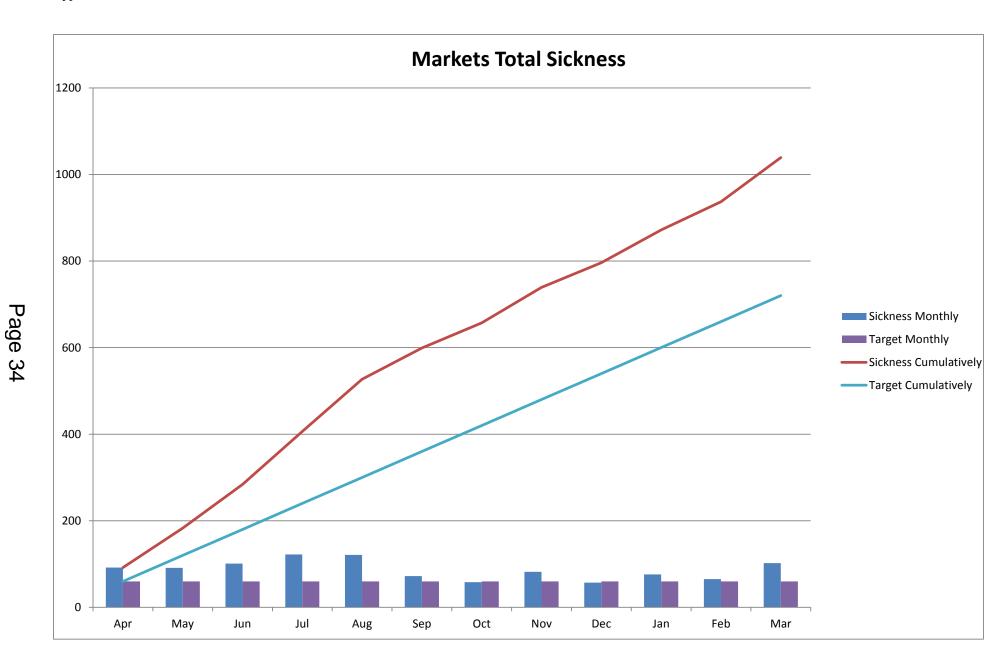
Notes:

- 1. Smithfield Service Charge favourable variance is due to salary savings on vacant cleaning posts and savings on the water, Citigen and energy budgets due to lower usage resulting from favourable weather conditions.
- 2. Smithfield Corporate & Direct Recovered favourable variance to date relates to the delay in works for £189K of agreed carry forwards. These will be completed at a later date during the year by City Surveyors.

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Markets Sickness 2015/16

						At	ttenda	ance	Mana	gem	ent -	2015	5/2016
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Year To Date
Total Staff Strength	120	120	120	120	120	120	120	120	120	120	120	120	
Total Self Certificated days	23	28	28	54	39	42	34	55	44	44	27	34	452
No of persons that make up self certificated	12	15	10	19	15	21	20	19	15	12	17	13	
Total Certificated days	69	63	73	68	82	30	24	27	13	32	38	68	587
No of persons that make up certificated	7	6	6	7	5	2	2	4	1	1	4	6	
Over 20 days	1	1	2	1	2	1	1	0	0	2	0	1	
Total Days Sick	92	183	284	406	527	599	657	739	796	872	937	1,039	1,039
Target for 2015/16	60	120	180	240	300	360	420	480	540	600	660	720	
	92	91	101	122	121	72	58	82	57	76	65	102	



Agenda Item 9

Committee(s)	Dated:
Markets	11 May 2016
Subject: 2016-19 Business Plan	Public
Report of: The Director of Markets & Consumer Protection	For Decision
Report author: Don Perry	

Summary

This report seeks your Committee's approval for the 2016-19 Business Plan of the City of London's Wholesale Markets, which are part of the Department of Markets & Consumer Protection.

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 Markets.

The Business Plan sets out what the Markets aim to achieve this year, the standards they will attain, and where these fit within the wider Departmental and Corporate strategic aims and objectives.

Recommendation(s)

Members are asked to: Approve the Markets Business Plan 2016-2019 and its appendices

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Markets Strategic Links Matrix

		M&CP Strateg	gic Aims	Corpo	rate Plan 2	015-19
	3. Some Markets Key Objectives d Performance Indicators have been abridged in this table.	To operate the three wholesale food markets in a manner that provides an exemplary trading environment which is environmentally sustainable, well maintained, safe, hygienic, and financially viable.	At all times to seek value for money in the activities we undertake so that the highest possible standards are achieved cost effectively.	To support and promote The City as the world leader in international finance and business services.	To provide modern, efficient and high quality local services within the Square Mile for workers, residents and visitors.	To provide valued services, such as education, employment, culture and leisure, to London and the nation.
	Billingsgate Market: Refresh the Code of Practice.	✓				✓
	New Spitalfields Market: Complete and implement the Working Manual in consultation with tenants.	✓				✓
117	Smithfield Market: Review the Working Manual and have an updated copy agreed and signed by the tenants.	✓				✓
ment Objectives 2016-2017	Initiate a comprehensive strategic review of the City's three wholesale markets – including transport needs and location.	✓	✓			✓
jective	New Spitalfields Market: Manage the lease renewals in collaboration with City Surveyor's.	✓	✓			✓
ent Ob	Smithfield Market: Agree service specifications with the SMTA under the terms of the current leases.	✓	✓			
rovem	Smithfield and Billingsgate Markets: Implement Service Based Review (SBR) proposals.	✓	✓			✓
lmp/	Billingsgate Market: Renew the metal roof and adjacent balcony.	✓	✓			✓
Markets Key Improve	Billingsgate Market: Additional Fish Handling facilities, modernisation works.	✓	✓			✓
Mark	New Spitalfields Market: Improve safety in relation to workplace transport operations in and around the Market Hall, especially FLTs.	✓				✓
	Smithfield Market: Continue with the project to refurbish the Poultry Market roof	✓	✓		✓	
	Smithfield Market: Implement the action plan, agreed with the SMTA, to control the risks associated with HGV Banksmen duties.	✓			✓	

Appendix A

		M&CP Strateg	gic Aims	Corpo	rate Plan 2	015-19
	B. Some Markets Key Objectives nd Performance Indicators have been abridged in this table.	To operate the three wholesale food markets in a manner that provides an exemplary trading environment which is environmentally sustainable, well maintained, safe, hygienic, and financially viable.	At all times to seek value for money in the activities we undertake so that the highest possible standards are achieved cost effectively.	To support and promote The City as the world leader in international finance and business services.	To provide modern, efficient and high quality local services within the Square Mile for workers, residents and visitors.	To provide valued services, such as education, employment, culture and leisure, to London and the nation.
17	Review our property holdings with City Surveyors Department in accordance with Standing Order 55.		✓		✓	✓
16-20	Provide input to the renewal of the corporate BRM contract.		✓		✓	✓
Markets Key Improvement Objectives 2016-2017	Complete transition of all M&CP business risks on to the Covalent database. Populate the Covalent system with M&CP Top X risks.	✓			√	✓
ent Obj	New Spitalfields Market: Investigate options for a multi barrier entry system to the market.	✓				✓
rovem	Implement the priorities outlined in the Departmental Workforce Plan.	✓	✓		✓	✓
Key Imp	Senior managers will review and implement all relevant actions in the M&CP IiP Business Improvement Plan	✓			✓	✓
Markets	Work with IT Department to identify options for mobile working at the markets.	✓	✓		✓	✓
	Deliver a Leadership Development Programme for current and future managers.		✓		✓	✓

		M&CP Strateg	ic Aims	Corpo	rate Plan 2	015-19
	me Markets Key Objectives and rmance Indicators have been abridged in this table.	To operate the three wholesale food markets in a manner that provides an exemplary trading environment which is environmentally sustainable, well maintained, safe, hygienic, and financially viable.	At all times to seek value for money in the activities we undertake so that the highest possible standards are achieved cost effectively.	To support and promote The City as the world leader in international finance and business services.	To provide modern, efficient and high quality local services within the Square Mile for workers, residents and visitors.	To provide valued services, such as education, employment, culture and leisure, to London and the nation.
ators	MKPI 1. Achieve an overall sickness level of no more than 6 days per person by 31 March 2017.		√		✓	✓
ce Indico	MKPI 2. 90% of debts to be settled within 60 days and 100% of debts settled within 120 days.		✓			√
orman 17	MKPI 3. Divert 90% of waste from landfill.		✓		✓	✓
ational Perfor 2016-2017	MKPI 4. Achieve 95% occupancy of all lettable space at Billingsgate, Smithfield and New Spitalfields Markets.		✓		✓	√
Markets Operational Performance Indicators 2016-2017	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.	✓			✓	√

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Appendix B

Markets Risk Register Summary Report

Report Type: Risks Report Report Author: John Smith Generated on: 27 April 2016

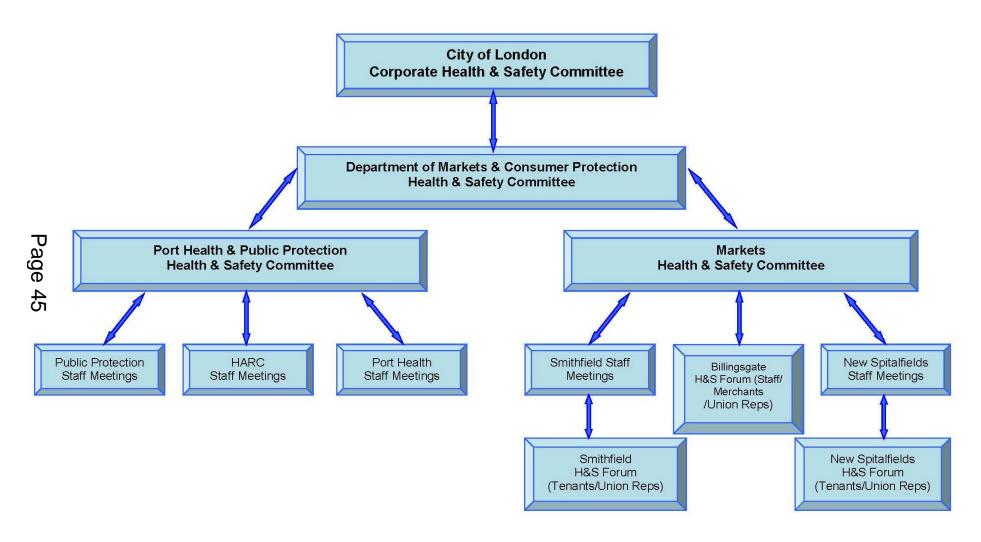
Code	Description (Cause, Event, Impact)	Risk owner	Current Risk Matrix	Target Risk Matrix	Target Date
MCP-NS 001 Page 41	Cause: Over 200 forklift trucks operate on the New Spitalfields Market site. Event: There is a serious risk of injury or death of a pedestrian if vehicle movements in this constrained space are not appropriately managed and controlled. Effect: An accident involving a pedestrian and a vehicle which resulted in a serious injury or fatality could result in prosecution, a fine, reputational damage for the City and have an adverse impact on the operation and sustainability of the service.		Impact	Impact	02-Jan-2017
MCP-SM 001	Cause: A lack of suitable and sufficient training and adequate management controls in relation to Heavy Goods Vehicle banksman activities undertaken by staff	Matthew Hill	Impact	Impact	30-Nov-2016

Code	Description (Cause, Event, Impact)	Risk owner	Current Risk Matrix	Target Risk Matrix	Target Date
	employed by Smithfield Market tenants. Event: Serious or fatal injury to members of the public, market staff and other service users caused by uncontrolled or unguided reversing vehicles. Effect: Realisation of this risk could result in a prosecution, fine and reputational damage for the City.				
MCP-SM 002 Page 42	Cause: Inadequate management and maintenance of the cooling towers at Smithfield Market. Event: An outbreak of Legionellosis associated with these towers. St Bartholomew's Hospital is within the drift area of these towers which exacerbates the impact of this risk due to the close proximity of susceptible persons. Effect: If this risk were to be realised it would result in prosecution, a fine and reputational damage for the City.		Impact	Impact	31-Jul-2016
MCP-SM 003	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.	Matthew Hill	Impact	Impact	31-Dec-2016

Code	Description (Cause, Event, Impact)	Risk owner	Current Risk Matrix	Target Risk Matrix	Target Date
Page 43	This forces vehicles to speed through this junction vying for road space. Event: Road TrafficAccident resulting in fatality or serious injury to pedestrians crossing between market buildings on East Poultry Avenue. Effect: This crossing point between market buildings would be considered as part of the workplace under current health & safety legislation which could result in prosecution, a fine and reputational damage for the City following a serious accident or fatality.				
MCP-SM 004	cause: Failed condenser water supply. Event: Shutdown of essential water supply to market. Impact: Realisation of this risk could result in a prosecution, fine and reputational damage for the City.	Matthew Hill	Impact	Impact	30-Sep-2016
MCP-SM 005	Cause: Failed electricity power supply. Event: Breakdown of essential electricity supply for the market. Impact: If this risk were to be	Matthew Hill	Impact	Impact	30-Dec-2016

Code	Description (Cause, Event, Impact)	Risk owner	Current Risk Matrix	Target Risk Matrix	Target Date
	realised it would result in loss of trade, reputational damage and civil litigation resulting from loss of trade and produce.				
MCP-SM 006	Cause: Failure to achieve Food Hygiene accreditation. Event: Closure of the Market as a result of not retaining approval under Food Hygiene Regulations. 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.	Matthew Hill	Impact	Impact	30-Dec-2016

Departmental Health and Safety Management Structure



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Markets: Summary Business Plan 2016-2019

Our **Departmental Vision** is:

The overall vision of the Department of Markets and Consumer Protection is to support the Corporate Plan through the provision of high quality, efficient services to our customers and stakeholders.

Our **Strategic Aims** are:

- To operate the three wholesale food markets in a manner that provides an exemplary trading environment which is environmentally sustainable, well maintained, safe, hygienic, and financially viable.
- At all times to seek value for money in the activities we undertake so that the highest possible standards are achieved cost effectively.

7 O.	Our two cross-departmental Key Performance Indicators are:				
4/	Description:	perfor	2015/16 mance omparable	(where	2016/17 target
	Achieve an overall sickness level of no more than 6 days per person by 31 March 2017, and a total of no more than 678 days across all markets. (N.B. Target based upon Full Time Equivalent (FTE) members of Markets staff at 31 December 2015 (no. 113).	<	039 day Target: <=720 days days per	3	<=678 days
	90% of debts to be settled within 60 days and 100% of debts settled within 120 days.	Billingsgate Smithfield New Spitalfields	90% (60days) 97% 93%	100% (120days) 100% 97%	90% (60 days) 100% (120 days)

Markets: Summary Business Plan 2016-2019

Our **Financial Information**:

	2014/15 Actual	2015/16 Original Budget	2015/16 Revised Budget (latest approved)	2015 Fore Out	cast	2016/17 Original Budget	N.B.
	£'000	£'000	£'000	£'000	%	£'000	
Employees	5,059	5,213	5,159	5,073	98.3%	5,282	
Premises	4,798	4,836	5,016	4,677	93.2%	5,063	
Transport	82	50	95	70	73.7%	48	
Supplies & Services	860	892	989	1,019	103.0%	947	
Third Party Payments	1,811	1,857	1,857	1,857	100.0%	1,861	
Transfer to Reserve	0	81	83	108	130.1%	21	
Contingencies	0	0	0	0	0	0	
Unidentified Savings	0	0	0	0	0	0	
Total Expenditure	12,610	12,929	13,199	12,804	97.0%	13,222	
Total Income	(11,208)	(11,327)	(11,481)	(11,192)	97.5%	(11,716)	
Total Local Risk	1,402	1,602	1,718	1,612	93.8%	1,506	1.
Central Risk	(4,379)	(4,781)	(4,465)	(4,525)	101.3%	(5,020)	
Recharges	2,019	1,969	1,983	1,983	100.0%	2,010	
Total Expenditure (All Risk)	(958)	(1,210)	(764)	(930)	121.7%	(1,504)	2.

Notes on Financial Information:

- 1. Excludes Local Risk amounts spent by the City Surveyor
- 2. Projected outturn 2015/16 based on monitoring at period 9 (31/12/2015)

Lage -

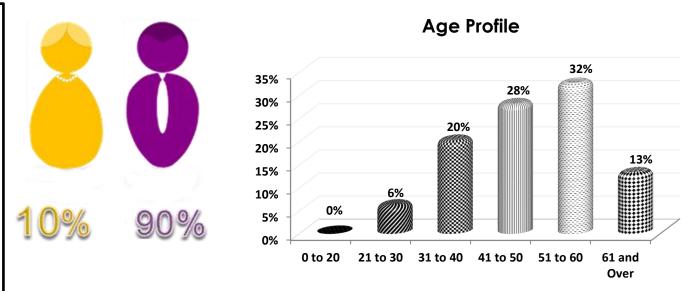
Markets: Summary Business Plan 2016-2019

Our People*:

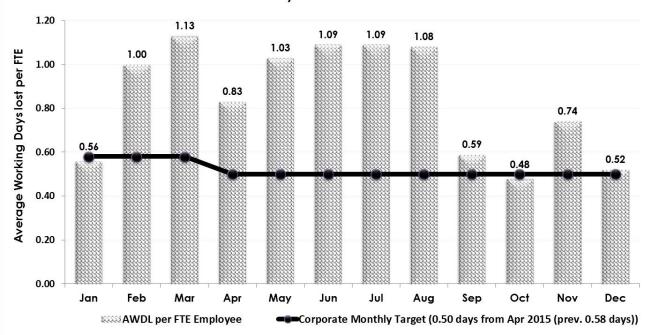
There are 114 employees across the three markets 10% of whom are female and 90% male. The high proportion of male employees is largely attributable to many of the roles being traditionally male dominated, e.g. maintenance and security. However, strategies to recruit and develop female employees to these and to higher level positions will be researched by the Departmental Workforce Planning Group. The fact that almost 50% of our staff are aged over 50 emphasises the importance of succession planning over the coming years. The Workforce Planning Group will look at developing and im ementing measures to mitigate the impact of the potential loss of experienced staff along with their skills and knowledge.

Sickness absence: The overall average number of working days lost per FTE (full time equivalent) employee across the markets during the year ending 31 December 2015 was 9.87, against a corporate result of 6.20 and a corporate and local target of 6.00 days per FTE. There was a marked increase in sickness absence during February to August 2015 but rates have since reduced with the average number of working days lost in December 2015 being .52 days per FTE, just above the corporate monthly target of .50 days. All cases of sickness absence are rigorously managed in line with corporate procedures.

*Statistics are those of 31 December 2015.



Average working days lost to sickness absence per full time equivalent (FTE) employee January 2015 - December 2015



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Agenda Item 10

Committee(s)	Dated:
	11 May 2016
Markets Committee	
Subject:	Public
Markets Committee Risk	
Report of:	For Information
Director of Markets and Consumer Protection	

Summary

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

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

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

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

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

Identification of New Risks

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

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

Summary of Key Risks

7. The Department of Markets and Consumer Protection's risk Register for markets, attached as Appendix 1 to this report, has no red risks, but includes five 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 injury or fatality could result in prosecution, a fine, reputational damage for the City and have an adverse impact on the operation and sustainability of the service.

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

A lack of suitable and sufficient training and adequate management controls in relation to Heavy Goods Vehicle banksman activities undertaken by staff employed by Smithfield Market tenants could result in a serious or fatal injury to pedestrians caused by uncontrolled or unguided reversing vehicles.

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

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

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

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

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

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

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

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

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

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

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
- Appendix B Risk Matrix

Background Papers

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

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Billingsgate Market:

Superintendent - Malcolm Macleod

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E: malcolm.macleod@cityoflondon.gov.uk

MCP Markets Committee Risk Report Appendix A

Generated on: 28 April 2016 14:02hrs

Review Date



Code	MCP-NS 001	Title	Westerland Troffic Management
Code	MCF-N3 001	Title	Workplace Traffic Management
Description	controlled.	pedestrian if vehicle mo nicle which resulted in a	serious injury or fatality could result in prosecution, a fine, reputational ainability of the service.
Category	Health and Safety	Approach	Reduce (By appropriate remedial action)
RGk Level	Departmental	Risk Owner	Ben Milligan
ag			
Strategic Aim	SA3	Key Policy Priority	KPP4
De partment	Department of Markets and Consumer Protection	Committee	Markets Committee
Current Risk Assessment, Score & Trend Comparison	12 Decreased Risk Score	Target Risk Assessment & Score	Impact 8
Likelihood	Possible	Likelihood	Unlikely
Impact	Major	Impact	Major
Risk Score	12	Risk Score	8
		1	

11-Apr-2016

Target Date

02-Jan-2017

Actions related to this risk:

Ref No:	Title	Action Description	Action Owner	Due Date	Progress	Latest Note
MCP-NS 001h	Impose Financial Penalties	Impose financial penalty on tenants when FLT operators are suspended/allocated points	Ben Milligan	30-Jun-2016	10%	This is part of the long term plan and will be examined in Q" of 2016.
MCP-NS 001i	Train Managers In Forklift Safety	A member of staff from all tenants to be nominated and trained in FLT safety procedures.	Ben Milligan	31-May-2016	30%	This action is dependent on completion of action MCP-NS 001d and has been moved back accordingly to allow for completion.
MCP-NS 001j Pag	Create Time Segregation	Artic Time Segregation and No Tolerance in market hall.	Ben Milligan	30-Jun-2016	18%	Opening times/ segregation times consultation completed with the SpMTA. There was not a majority vote. Therefore we continue with the status quo regarding opening times. Tenants will be advised that the opening time remains 12 midnight, but that HGV operations will be controlled more tightly between 10pm and midnight.
MOSP-NS MOSPIK	Install Barrier System	Controlled barriers entry system for pedestrians and vehicles.	Ben Milligan	01-Oct-2018	15%	Trial barriers have been installed. Now awaiting approval to commence full installation.
MCP-NS 001I	Segregate Walkways	Create segregated walkways in crossroads.	Ben Milligan	30-Jun-2016	25%	Sample barrier installed in one fire path to segregate pedestrians from FLTs. This will inform further decisions regarding placement of pedestrian barriers in other parts of the market. There is now an ongoing analysis of the efficacy of the barrier system when in operation before further decisions are taken.
MCP-NS 001n	Prohibit Forklifts	No fork lift truck movements in market pavilion during trading hours.	Ben Milligan	02-Oct-2017	5%	This is part of the long term plan and is scheduled for Q4 of 2016.

Code	MCP-SM 001	Title	HGV Unloading Operations
Description	undertaken by staff employed by Smithfield Marke	t tenants. ublic, market staff	gement controls in relation to Heavy Goods Vehicle banksman activities and other service users caused by uncontrolled or unguided reversing vehicles. reputational damage for the City.

Category	Health and Safety
Risk Level	Departmental

Approach	Reduce (By appropriate remedial action)
Risk Owner	Matthew Hill

Strategic Aim		SA3
	Department	Department of Markets and Consumer Protection

Key Policy Priority	KPP4
Committee	Markets Committee

Current Risk Assessment, Score & Trend Comparison	Likelihood O	12	•	Decreased Risk Score
Relihood	Possible			
M pact	Major			
Risk Score	12			
Review Date	19-Apr-2016			

Target Risk Assessment & Score	January 4 Impact	
Likelihood Rare		
Impact	Major	
Risk Score	4	
Target Date 30-Nov-2016		

Latest Note

At present the current unloading procedures have been reviewed by the FTA and actions and responsibilities have been confirmed. Some of the actions have been started and improvements made but not enough at this time to alter the rating this risk assessment.

Actions related to this risk:

Ref No:	Title	Action Description	Action Owner	Due Date	Progress	Latest Note
MCP-SM 001c	Action Plan	Develop and implement an action plan.	Matthew Hill	30-Dec-2016	75%	An action plan has been developed and the SMTA have agreed to finalise this by the end of January 2016. It is envisaged that the plan will be fully implemented by the end of December 2016.

MCP-SM 002	Title	Cooling Towers			
Event: An outbreak of Legionellosis exacerbates the impact of this risk of	s associated with these towers. St Ba due to the close proximity of susceptil	ortholomew's Hospital is within the drift area of these towers which ble persons.			
Financial	Approach	Approach Reduce (By appropriate remedial action)			
Departmental	Risk Owner	Risk Owner David Smith			
	Cause: Inadequate management at Event: An outbreak of Legionellosis exacerbates the impact of this risk of Effect: If this risk were to be realise	Cause: Inadequate management and maintenance of the cooling towers Event: An outbreak of Legionellosis associated with these towers. St Ba exacerbates the impact of this risk due to the close proximity of suscepti Effect: If this risk were to be realised it would result in prosecution, a fine Financial Approach			

Committee

Key Policy Priority

KPP4

Markets Committee

Current Risk Assessment, Score & Trend Comparison ພ	Impact	8	*	No change
⊈ kelihood	Unlikely			
Moact	Major			
Risk Score	8			
Review Date	08-Jan-2016			

Department of Markets and Consumer Protection

SA3

Target Risk Assessment & Score	Bood Head of the second	
Likelihood	Rare	
Impact	Иаjor	
Risk Score	4	
Target Date	31-Jul-2016	

Latest Note	Target date reviewed	as the actions fo	or this risk have not yet been	agreed.	·	·	·
	,			•			

Actions related to this risk:

Strategic Aim

Department

Ref No:	Title	Action Description	Action Owner	Due Date	Progress	Latest Note
MCP-SN 002a	Establish regular communication	Establish regular formal communication with the City Surveyor's department to provide positive confirmation that control measures, implemented on behalf of M&CP, continue to be effective.		26-May-2016	0%	

Code	MCP-SM 003	Title	East Poultry Avenue
Description	in place or a marked pedestrian crossing Event: Road Traffic Accident resulting in	g point. This forces vehicles to a fatality or serious injury to pe ket buildings would be consid	eld Market from opposing directions without physical traffic calming measures of speed through this junction vying for road space. The edestrians crossing between market buildings on East Poultry Avenue. The elered as part of the workplace under current health & safety legislation which by following a serious accident or fatality.

Category	Health and Safety
Risk Level	Departmental
-	-

Approach	Transfer (To a third party or insurer)
Risk Owner	Matthew Hill

Strategic Aim	SA3
Department	Department of Markets and Consumer Protection

k	Key Policy Priority	KPP4
C	Committee	Markets Committee

Current Risk Assessment, Score & Trend Comparison	12 ↔ No change		
©kelihood	Possible		
M pact	Major		
k Score	12		
Review Date	08-Jan-2016		

Target Risk Assessment & Score	Pood Impact	
Likelihood	Rare	
Impact	Serious	
Risk Score	2	
Target Date	31-Dec-2016	

Latest Note	Target date has been moved following advice received from DBE that; depending on the chosen option, planned improvements could take up to 12
	months to install.

Actions related to this risk:

Ref No:	Title	Action Description	Action Owner	Due Date	Progress	Latest Note
MCP-SM 003a	Traffic Calming	Transportation & Public Realm department have agreed to examine the viability of a 'step' traffic calming road installation. This action is to be followed up by the Superintendent.	Matthew Hill	30-Dec-2016	50%	The Superintendent has asked whether CIL money could be made available for these improvements and will chase DBE for an update to get this moving.

Code	MCP-SM 004	Title	Cooling water failure.
Description	Cause: Failed condenser water supply. Event: Shutdown of essential water supply to marke Impact: Realisation of this risk could result in a pros		tional damage for the City.
Category	Reputation	Approach	Reduce (By appropriate remedial action)
Risk Level	Departmental	Risk Owner	Matthew Hill
Strategic Aim	SA3	Key Policy Priority	KPP4
Department	Department of Markets and Consumer Protection	Committee	Markets Committee
Current Risk Assessment, Score & Trend Comparison	12 ↔ No change	Target Risk Assessment & Score	Impact 8
(d) kelihood	Possible	Likelihood	Unlikely
Impact	Major	Impact	Major
Kusk Score	12	Risk Score	8
Review Date	08-Jan-2016	Target Date	30-Sep-2016

Actions related to this risk:

Ref No:	Title	Action Description	Action Owner	Due Date	Progress	Latest Note
MCP-SM 004c	Replace East pumps.	Replace East Market Condenser Pumps.	Matthew Hill	01-Sep-2016	0%	Replacement schedule added to additional works programme (AWP) for financial year 2016/17.
MCP-SM 004d	Replace West pumps.	Replace West Market Condenser Pumps.	Matthew Hill	01-Sep-2016	0%	Replacement schedule added to additional works programme (AWP) for financial year 2016/17.

City of London Corporation Risk Matrix (Black and white version)

Note: A risk score is calculated by assessing the risk in terms of likelihood and impact. By using the likelihood and impact criteria below (top left (A) and bottom left (B) respectively) it is possible to calculate a risk score. For example a risk assessed as Unlikely (2) and with an impact of Serious (2) can be plotted on the risk scoring grid, top right (C) to give an overall risk score of a green (4). Using the risk score definitions bottom right (D) below, a green risk is one that just requires actions to maintain that rating.

MCP Markets Committee Risk Report Appendix B

(A) Likelihood criteria

	Rare (1)	Unlikely (2)	Possible (3)	Likely (4)
Criteria	Less than 10%	10 – 40%	40 – 75%	More than 75%
Probability	Has happened rarely/never before	Unlikely to occur	Fairly likely to occur	More likely to occur than not
Time period	Unlikely to occur in a 10 year period	Likely to occur within a 10 year period	Likely to occur once within a one year period	Likely to occur once within three months
Numerical	Less than one chance in a hundred thousand (<10-5)	Less than one chance in ten thousand (<10-4)	Less than one chance in a thousand (<10-3)	Less than one chance in a hundred (<10-2)

(C) Risk scoring grid

	Impact					
	Х	Minor (1)	Serious (2)	Major (4)	Extreme (8)	
poo	Likely	4	8	16	32	
	(4)	Green	Amber	Red	Red	
Likelihood	Possible (3)	3 Green	6 Amber	12 Amber	24 Red	
	Unlikely	2	4	8	16	
	(2)	Green	Green	Amber	Red	
	Rare	1	2	4	8	
	(1)	Green	Green	Green	Amber	

(B) Impact criteria

Impact title	Definitions
Minor (1)	Service delivery/performance: Minor impact on service, typically up to one day. Financial: financial loss up to 5% of budget. Reputation: Isolated service user/stakeholder complaints contained within business unit/division. Legal/statutory: Litigation claim or find less than £5000. Safety/health: Minor incident including injury to one or more individuals. Objectives: Failure to achieve team plan objectives.
Serious (2)	Service delivery/performance: Service disruption 2 to 5 days. Financial: Financial loss up to 10% of budget. Reputation: Adverse local media coverage/multiple service user/stakeholder complaints. Legal/statutory: Litigation claimable fine between £5000 and £50,000. Safety/health: Significant injury or illness causing shorterm disability to one or more persons. Objectives: Failure to achieve one or more service plan objectives.
Major (4)	Service delivery/performance: Service disruption > 1 - 4 weeks. Financial: Financial loss up to 20% of budget. Reputation: Adverse national media coverage 1 to 3 days. Legal/statutory: Litigation claimable fine between £50,000 and £500,000. Safety/health: Major injury or illness/disease causing long-term disability to one or more people objectives: Failure to achieve a strategic plan objective.
Extreme (8)	Service delivery/performance: Service disruption > 4 weeks. Financial: Financial loss up to 35% of budget. Reputation: National publicity more than three days. Possible resignation leading member or chief officer. Legal/statutory: Multiple civil or criminal suits. Litigation claim or find in excess of £500,000. Safety/health: Fatality or life-threatening illness/disease (e.g. mesothelioma) to one or more persons. Objectives: Failure to achieve a major corporate objective.

(D) Risk score definitions

RED Urgent action required to reduce rating		
AMBER	Action required to maintain or reduce rating	
GREEN	Action required to maintain rating	

This is an extract from the City of London Corporate Risk Management Strategy, published in May 2014.

Contact the Corporate Risk Advisor for further information. Ext 1297 Version date: December 2015

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Committee(s)	Dated:
Projects Sub– For decision Corporate Projects Board – For decision Markets Committee – For decision	19 April 2016 11 May 2016 10.00
	11 May 2016 11.30
Subject: Entry Barrier – New Spitalfields Market (NSM)	Public
Report of: David Smith – Director of Markets and Consumer Protection	For Decision
Report author: Ben Milligan	

Summary

It is the intention to install a payment barrier (5 barriers) at the front gate of New Spitalfields Market (NSM) (see Appendix 1 and 2). Customers would pay a one-off fee to enter the site for 24hrs. HGVs would pay based on a stepped system; the longer they remain on site, the more they would pay. The objectives are threefold:

- i) to create an income to fund maintenance work and improvements to the site,
- ii) to facilitate the enforcement of site rules regarding fly tipping, operating hours, non-payment of fines etc.,
- iii) to use the revenue generated to stabilise service charge levels going forward.

It is also intended that a weigh bridge is installed.

Recommendation(s)

Note that no City funding will be required. Funds to install the barrier will come solely from NSM 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.

Main Report

Background

Currently there is no barrier that would enable controlled access or charges to be levied for entry into the NSM site. In the past, tenants of the market felt that a charge to enter the site may discourage customers coming onto the site. All of the market's competitors now have established charged entry systems which charge much higher rates than that planned at NSM (see appendix 3). A charged entry system is no longer seen by tenants as a deterrent for custom; it is now viewed by the SpMTA as a revenue stream that could offset large projected costs regarding the fabric of the ageing building as well as a steadying assurance on service charge levels.

Current Position

A small barrier is currently in use at the gate-house, however that is only operated to show when the market is closed. It remains open when the market is in operation.

Options

It is possible that an exit barrier is considered, but this would not lead to any benefits in controlling access. There would be no level of control; it would simply be a charge to exit.

There is the possibility of making the Ruckholt Rd/Sherrin Rd slip road into a two lane entry subject to highways approval and widening the area to the side of the gatehouse to create two lanes. This would ensure traffic into the site remained fast flowing and reduce any risk of vehicles stacking up onto the highway (it is expected that 5 barriers would mean traffic flow would never be slow enough to cause traffic to back into the highway. Entry into the site is controlled somewhat by the speed of the traffic light changes in Ruckholt Road).

Prices and ways of charging for access are negotiable. There could be a set charge i.e £1 for 24 hours of access, or a rising tariff based on time on site i.e. <30 mins = £2, 30 mins -1hr = £3, 1hr to 3hrs = £5 etc.

Proposals

The COL staff car park would be taken out of commission (there is adequate provision for alternative parking to allow for this) to create a three/four lane barrier system (with a fourth/fifth manual barrier at the far end of the current staff car park for constabulary use for stop and search operations) (see Appendix 1 and 2). Two/three barriers would be for cars and vans (they would be height restricted). These vehicles would receive a ticket with the vehicle number plate printed on it (generated by the ANPR). This would allow for 24 hours of access so that they could make multiple journeys within that period. One barrier (the right barrier) would be for HGVs and would have left and right, high level ticket machines so drivers could access tickets from the cabs. HGVs would be given a timed ticket. They would have to pay to exit from an on-site ticket machine and leave via a corresponding HGV barrier on exit. The longer they stay, the more the charge is. Any issues with vehicles could be picked up at the gatehouse at these barriers. This would give staff time to address the vehicle as it passes the gate house or ask them to turn around if access is denied.

The most recent traffic survey indicated that on average 2950 vehicles use the site daily (17,736 a week). 52.4% were vans, 10% HGVs and Artics and 37.6% cars with the most busy times being between 00:00 and 01:00. There is not an analysis regarding what proportion of this number are tenant and staff vehicles; an educated, conservative guess would suggest that half the vehicles on site are customers. As there is such a high usage of the parking, any barrier and payment mechanism would need to be of sufficient standard and speed so as not to cause any substantial

traffic build up. A debit card touch system would be desirable with the added option of using quick "fee feed" coin machines. A nominal fee of £1 would be suggested as this amount would allow for the quickest processing of traffic. At current levels of traffic and conservatively assuming 50% of traffic are customers, this would create a minimum income of approximately £460,000 per annum. This, less the running costs, would mean there would be a significant, ring fenced fund each year to offset the service charge as well as provide for maintenance or improvement works.

A suitable system would be implemented to ensure that staff had photo ID swipe cards for free entry. Customer vehicles would only be allowed on site during set hours. Pedestrians would not be asked for payment, but they would also be restricted from entering the site (unless they were staff/tenants). There would be two doors for pedestrians. One being a swipe card operated turn-style for staff, the other, a simple gate, opened up at 2am when the market was opened to the public. This would prevent anyone parking outside and walking on site before 2am. Barriers would have screening below the barrier to discourage pedestrians entering under the barrier. Any transfer of staff cards to the public would result in the confiscation of the entry card. Guests to the market including contractors would receive a guest pass from the gate house which should ordinarily be booked in advance.

Alongside the barrier works there would be the installation of a weigh bridge. This would enable tenants to check (for a small fee) if they were legally loaded, and it would also mean that the COL could fully audit the volumes of waste removed from site by the designated waste contractor.

Corporate & Strategic Implications

This proposal has been incorporated in the Departmental Business Plan. It also aligns with the City's Corporate Asset Management Strategy and strategic objectives, namely that: i) operational assets are fit for purpose and meet service delivery needs, and that ii) opportunities to maximise income generation be explored and promoted where feasible.

Implications

If the proposal was not implemented:

- The constabulary would have less ability to enforce site rules. They would not be able to prevent rogue traders, or problem vehicles accessing the site.
- Opening hours would not be enforced. The site would be effectively forced to run 24/7. The COL would have no level of control on who enters the site and when
- There is the potential that the service charge would rise over the coming years
- HGV operations would not be controlled and as such the workplace transport risks from HGVs would remain unchanged when the market is in operation.
- The site would continue to be used as a trailer park for HGVs since the other wholesale markets in London charge for parking. Drivers would continue to stay for prolonged periods of time. (There are no facilities for this and as such drivers urinate and defecate in the car parks).

- Individuals who repeatedly break site rules or exhibit risky behaviour could not be excluded from site.
- The market is now 25 years old. Works required to keep it maintained are costly since it is such a large site (32 acres). Without such an income this money must be found from the service charge, which could cause increasing financial difficulty for the smaller businesses.

Other implications:

If, during the procurement stages, it is determined that there is a requirement to expand the road access into the site, approval would be required from Highways to create a second filter access lane (travelling NNE) from Ruckholt Road into Sherrin Road.

Conclusion

There should be an installation of a payment barrier. Customers would pay a one-off fee to enter the site for 24hrs. HGVs would pay based on a stepped system; the longer they remain on site, the more they would pay.

This would facilitate the creation of an income to fund maintenance work and improvements to the site. It would enable more effective enforcement of site rules regarding fly tipping, operating hours, non-payment of fines etc. It would also stabilise service charge levels going forward.

The installation of a weigh bridge would create an income, would aid tenants in complying with the law, and would create a more controlled system of auditing the site waste contract.

Appendices

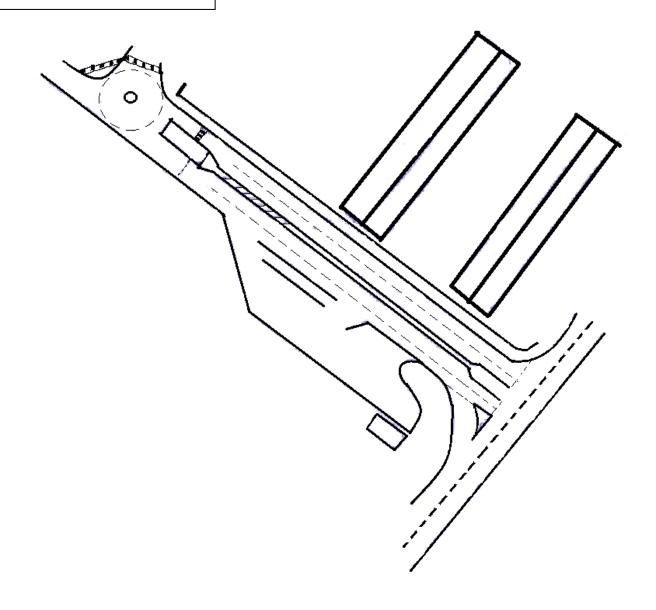
- Appendix 1 Current plan of road layout at front gate
- Appendix 2 Proposed plan of road layout at front gate accounting for barrier positions
- Appendix 3 Competitor prices for parking at Western International and New Covent Garden.

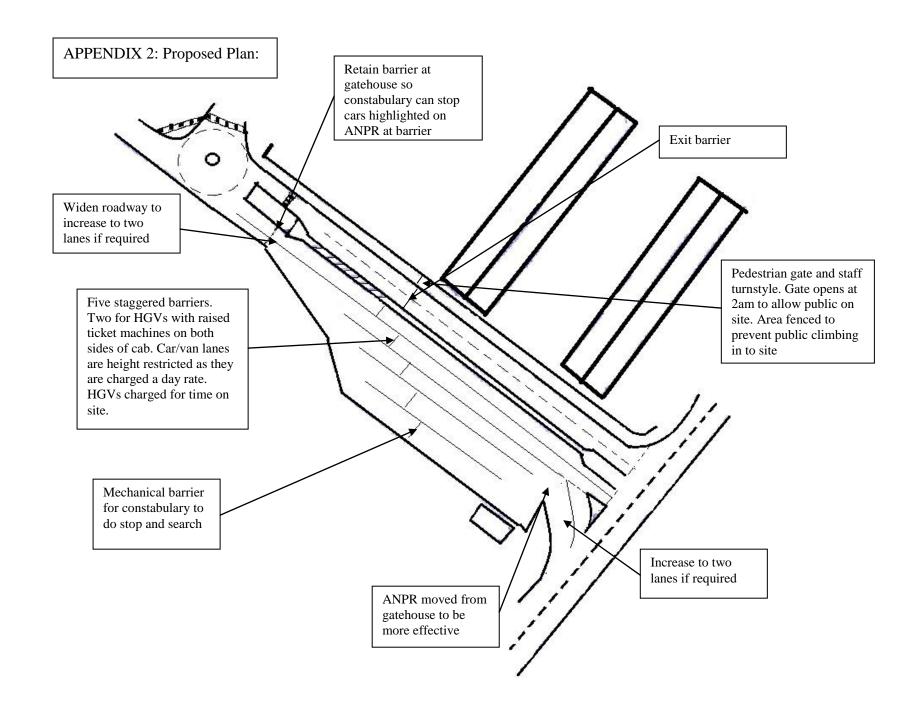
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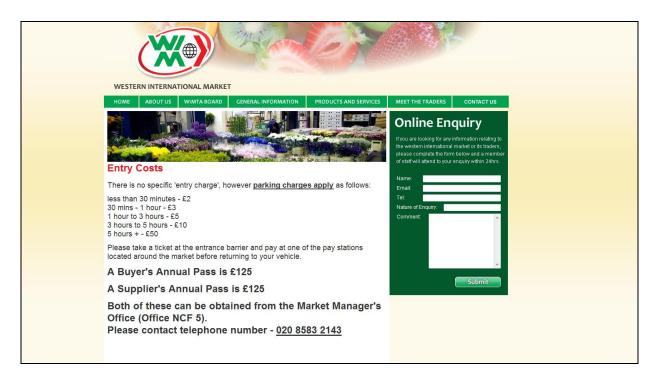
E: [ben.milligan@cityoflondon.gov.uk]



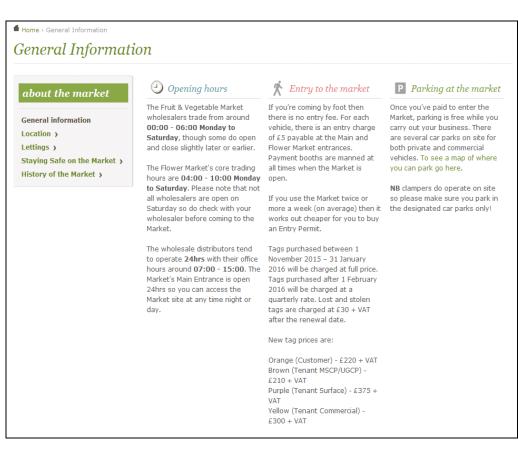


APPENDIX 3: COMPETITOR CHARGES:

WESTERN INTERNATIONAL CHARGES



NEW COVENT GARDEN CHARGES



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Committee(s)	Dated:
Market Committee – For Information	11/05/2016
Subject: Non-Tenant Waste	Public
Report of:	For Information
David Smith - Director of Markets & Consumer Protection	
Report author:	
Donald Perry	

Summary

This report provides Members with an update on the issue of non-tenant waste at the City's Wholesale food markets as requested by Members at March's Markets Committee.

In general, the Markets Superintendents' do not consider the matter of waste being brought onto their sites' for disposal (fly-tipping or dumping) by non-tenants has a significant impact on operations or cost.

Each site manages the risk of fly-tipping differently. How this is done is strongly influenced by the geography of the individual site, and the manner in which trade at the site is carried out.

Recommendation(s)

Members are asked to:

• Note the report.

Main Report

Background

- 1. Dealing with waste and the cleaning of the City's markets is a major item of cost on the respective market service charges. Markets Committee Members expressed concern about the issue of waste brought onto the sites by customers for disposal (fly tipping or dumping) at the markets which could be placing an unfair financial burden on tenants via the service charge.
- 2. Members asked for a report to be brought to Committee outlining the extent of the problem and possible legal recourse or remedies open to the City to address this matter.

Current Position

Billingsgate Market

- 3. Although not considered to be a major site problem, small amounts of domestic waste are often dumped into the waste bins that are on site. On occasions, bulky domestic waste items, such as mattresses, are found on site. For the more significant instances of dumping, the Market Constables will review the CCTV records to see if an offender can be identified. Where a person is identified, they are spoken to and required to remove the waste from site and not reoffend.
- 4. Trade waste such as cardboard boxes and polystyrene boxes are also dumped into the waste bins on site. At times this has become an issue with the time spent on clearing up dumped boxes leading to a backlog of waste clearing/ cleaning work for the site cleaning team. Some tenants ask customers to return clean polystyrene boxes for tenants to reuse, which can confuse matters as to whether or not boxes are being dumped. For customers to legitimately return polystyrene boxes, a requirement of written confirmation from the tenant has been introduced, which states the quantity of boxes required by the tenant.
- 5. These legitimate polystyrene returns are delivered direct from the customer's van to the tenant. The quantity stated by the tenant is monitored to ensure that the tenant is not facilitating waste dumping by the customer. In recent months there has been increased Market Constabulary presence in the trade park area. A number of customers have been caught dumping polystyrene boxes and, although a lesser issue, cardboard boxes, and have been required to take the waste back and been warned not to dump in future. Details of vehicles caught dumping waste are entered in the Automatic Number Plate Recognition System (ANPR) so that should these vehicles return to site, the Market Constables are quickly alerted and can attend and monitor that there is no waste on board. With this increased vigilance trade waste dumping is less of a current issue.

6. Although the legal route is yet to be instigated, C&CS colleagues, when advising on other matters, have stated that persons can be excluded from the site but recommend that notices be displayed on site stating the type of offences that would lead to a person being excluded. A meeting has been requested with Tower Hamlets Environmental Health Officers to discuss their enforcement powers and whether these powers can be used to assist Billingsgate.

Smithfield Market

- 7. The majority of fly-tipping incidents at Smithfield Market involve the dumping of unwanted meat, or Animal By-Products (ABP), by market customers. In addition, general waste is also dumped at the market and its immediate environs from time to time.
- 8. In addition to patrols that help to deter fly-tipping, the market Constabulary use the market's closed-circuit television (CCTV) camera system in order to identify perpetrators when an instance of dumping is reported. However, the CCTV footage is frequently inconclusive and cannot provide positive identification of an individual that would allow further action to be taken. Where a positive identification can be made, the normal remedy is to request that the offender removes the items. If they refuse to remove the dumped materials then the Smithfield Constabulary have delegated powers which allow them to issue a Fixed Penalty Notice (FPN) of £80 for littering. Most offenders choose to remove the materials themselves when the possibility of a FPN is explained.
- 9. The number of FPNs has reduced significantly in recent years and this is reflected in a reduction in the quantities of waste dumped at the market. Anecdotally, in the past there used to be whole pallets of meat dumped at the market. There are now fewer instances of dumping, and the quantity of material dumped has also reduced, although it is not possible to identify a single factor that has led to this, other than greater vigilance by the Market Constabulary.
- 10. A campaign is planned with the Street Enforcement Team (SET) to educate tenants, buyers and CoL staff with a view to reducing the levels of littering around the site. At present the Market Constabulary are actively assisting the SET by providing evidence and statements in the prosecution of two fly tipping offences. Fly-tipping is a criminal offence punishable by a fine of up to £50,000 or 12 months imprisonment if convicted in a Magistrates' Court. The offence can attract an unlimited fine and up to 5 years imprisonment if convicted in a Crown Court. This is far higher than the penalties for littering which is a maximum of £2500 with most offences dealt with in the form of a fixed penalty of £80 which can be reduced to £50 by paying within fifteen days.

11. Data on instances of fly-tipping at the market over the last twelve months is given at Appendix 1.

New Spitalfields Market

- 12. Constabulary staff are tasked with stopping and searching vehicles entering the Market during times when the market is open. One of their performance objectives is that they must each stop and search a minimum of 120 vehicles per month, turning away those with waste on board, and entering the vehicle details into the Automatic Number Plate Recognition (ANPR) system
- 13. Multiple staff patrol the Market every day and one of their tasks is to look for dumped waste. If located, this information is recorded on a Dumped Waste Schedule, and subsequently CCTV footage is reviewed to try to identify the person responsible. In addition, at approx. 10.00 hours each day there is a specific 'rubbish patrol' with the express purpose of looking out for and recording dumped waste, with CCTV reviews also undertaken for this waste.
- 14. People caught fly tipping are charged a disposal fee (see schedule attached Appendix 1). The recovery of this fee is encouraged by the suggestion that if it is not paid they will be excluded from the Market. The fee is limited to £100 as this is the maximum amount of cash that can be accepted. A total of £2480 in charges has been issued to non-tenant fly tippers identified by the Market Constabulary this year. The recovery rate for these charges is in excess of 85% by value.
- 15. Individual staff at the market are set performance objectives to run targeted operations against fly-tippers, identify waste dumpers and recover disposal fees from the same, and to use the CCTV system to monitor vehicles on site and look out for those dumping waste. The cleaning contractor sends through dumped waste information on a daily basis and this too is reviewed via the CCTV system and followed up if the person responsible is identified.

Conclusion

17. In conclusion, the Superintendents do not consider the matter of waste being brought onto their sites' for disposal by non-tenants has a significant impact on operations or costs. Each site has measures in place that involve a combination of the use of patrols, CCTV, and charges for those found littering, in order to address the matter. The Superintendents acknowledge that waste dumping does happen at their markets but at present it is an issue that, although not perfect, is felt to be under control.

Appendices

Appendix 1 – Markets Data

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Smithfield Market

Dumping of Non-Tenant Waste – Incidents

Period	April 2015	May 2015	June 2015	July 2015	August 2015	September 2015	October 2015	November 2015	December 2015	January 2016	February 2016	March 2016
Reported Incidents	7	6	17	9	8	15	5	9	4	5	4	9
CCTV Reviews	1	5	11	6	3	8	5	3	1	2	1	2
FPNs Issued	0	0	0	0	0	1	0	0	0	0	0	0

FPNs Issued

2013	32
2014	14
2015	1
2016	1

New Spitalfields Market Fly tipped Waste Charges – June 2013

Waste Type	Unit	Charge
Mattress	Per Mattress	£60 Each
Tyre – Car, Van, Truck	Per Tyre	£25 Each
Organic Waste	Half Pallet	£40 Per half pallet
Organic Waste	Full Pallet	£80 Per pallet
General household wastes (non-hazardous)	Half Pallet	£70 Per Half Pallet
General household wastes (non-hazardous)	Full Pallet	£100 Per Pallet
Empty produce containers / boxes	Full Pallet	£40 Per Full Pallet
Small pile of bricks / rubble	Small pile	£60 per small pile
Domestic fridge / freezer	Per fridge, fridge/freezer	£60 per unit
20 litre drum of waste oil (cooking or engine)	Per 20 litre drum	£40 per drum
Vehicle battery	Per battery	£12 per battery
Small pile of meat /fish	Per 240 litre bin	£65 per 240 litre bin
Computer equipment	Per half pallet	£90 per half pallet
Gas bottle	Per gas bottle	£35 per gas bottle

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



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



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



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



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



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

