

MARKETS COMMITTEE

Wednesday, 24 January 2018

Minutes of the meeting of the Markets Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Wednesday, 24 January 2018 at 11.30 am

Present

Members:

James Tumbridge (Chairman)	Deputy Edward Lord
John Scott (Deputy Chairman)	Alderman Nicholas Lyons
Adrian Bastow	Alderman Professor Michael Mainelli
Matthew Bell	Deputy Robert Merrett
Peter Bennett	Deputy Brian Mooney
Nicholas Bensted-Smith	Deputy Joyce Nash
Richard Crossan	Stephen Quilter
Deputy Kevin Everett	Ruby Sayed
John Fletcher	Oliver Sells QC
Gregory Lawrence	Deputy John Tomlinson

Officers:

Jon Averbs	-	Markets and Consumer Protection Department
Steven Chandler	-	City Surveyor's Department
Andrew Crafter	-	City Surveyor's Department
Leyla Dervish	-	Chamberlain's Department
Julie Gibbs	-	Markets and Consumer Protection Department
Paul Hickson	-	Comptroller and City Surveyor's Department
Malcolm Macleod	-	Superintendent, Billingsgate Market
Ben Milligan	-	Superintendent, New Spitalfields Market
Martin Newton	-	Town Clerk's Department
Jennifer Ogunleye	-	Town Clerk's Department
Donald Perry	-	Markets and Consumer Protection Department
Mark Sherlock	-	Superintendent, Smithfield Market
David Smith	-	Director of Markets and Consumer Protection
Julie Smith	-	Chamberlain's Department
Peter Young	-	City Surveyor's Department

1. APOLOGIES

Apologies were received from Andy Mayer, Tim Levene, John Chapman, Ian Seaton and Angus Knowles-Cutler.

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

There were no declarations.

3. **PUBLIC MINUTES**

RESOLVED – That the public minutes of the meeting held on 29 November 2017 be approved as a correct record.

The following matters were raised:-

Revenue and Capital Budgets

In response to a question from a Member regarding further information to be provided indicating variances between the original and actual budget, the Chamberlain undertook to liaise with the Member following the meeting.

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

The Committee considered the report of the Town Clerk on the terms of reference of the Committee and frequency of meetings.

During discussion, it was noted that the terms of reference circulated did not set out the most recently agreed amendments and should therefore include reference in (a) to 'New Spitalfields Market' and in (b) to '(*acting jointly with ...*)'.

Members then put forward the view that (a) should further include reference to the Committee's 'oversight of the *provision and* management of all matters...'. It was then

RESOLVED –

- a) That the terms of reference of the Committee set out below be approved for submission to the Court of Common Council and that any further changes required in the lead up to the Court's appointment of Committees be delegated to the Town Clerk in consultation with the Chairman and Deputy Chairman; and

To be responsible for:-

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

5. **MARKETS BUSINESS PLAN UPDATE PERIOD 2 2017/18 (AUGUST - NOVEMBER)**

The Committee considered the report of the Director of Markets and Consumer Protection on the Markets Business Plan update for period 2 (2017/18 – August to November).

The following matters were raised:-

- The Committee noted that pages 35 to 41 of the agenda pack should be disregarded, being information the Committee were not required to consider, and that Appendix C on page 31 should state '(expenditure and unfavourable variances)' rather than (income and favourable variances).
- A Member raised the question of the graph on page 12 (net local risk – projected outturn vs latest approved budget) and the Committee being made aware of the previous year's budget. The Chamberlain undertook to liaise with the Member following the meeting with regard to the information requested. The Chairman asked that all Members be informed of the outcome.
- The issue of sickness levels was raised and the Director of Markets and Consumer Protection confirmed that he saw this as a management issue and that he was confident long-term cases had now been dealt with according to policy and that the sickness levels, although too high, would be reduced.

RECEIVED.

6. **LONDON MARKETS BOARD**

The Committee considered the report of the Director of Markets and Consumer Protection on the London Markets Board.

The following matters were raised:-

- The Chairman confirmed that the Corporation had contributed to the consultation on the London Markets Board and had put forward a proposed representative. Although that representative had not been appointed, wholesale markets were represented on the Board by Covent Garden Market.
- It was noted that the London Markets Board members would be invited to attend the Markets Committee dinner in March.
- The Committee were in agreement that a further bid to be represented on the Board should be made, including the scope for co-opted membership. The Director of Markets and Consumer Protection undertook to respond to this point during the non-public session.

RECEIVED.

7. RISK REPORT

The Committee considered the report of the Director of Markets and Consumer Protection on Markets Committee risk.

The following matters were raised:-

- In response to a question from a Member about vehicles delivering meat products to Smithfield Market and whether there was a risk of them failing to comply with the London Low Emission Zone (ULEZ) and potentially more stringent restrictions on heavy vehicle movements, the Director of Markets and Consumer Protection confirmed that improving air quality is a high corporate priority and he would report back to the Committee once an analysis had been undertaken on the potential risk to the Market posed by the ULEZ.
- A Member asked about HGV unloading operations at Smithfield and confidence that new arrangements were working, along with whether these risks were the City's risks if banksmen were not employed by the City. The Market Superintendent confirmed that audits had been undertaken showing that there had been an improvement in unsupervised 'lock-ons' since tenant training. In association with Castell, it was planned to eradicate problems in this area. He said that, although low risk, investigations had confirmed this risk should remain at red. The Director of Markets and Consumer Protection confirmed that, under safety legislation, the City retained a degree of responsibility to ensure that the banksmen are properly trained and managed, since they operate on City property, and an obligation to take measures to prevent accidents. He stated that, if progress continued, the risk could be downgraded to amber shortly.

RECEIVED.

8. SUPERINTENDENTS UPDATES

The Committee considered oral reports of the Superintendents and the following matters were raised:-

Billingsgate

- **Grant Funding** - The Superintendent informed the meeting that further bids would be submitted for funding for appropriate items, subject to the cut-off date for applications for grant funding which would be discussed and confirmed.
- **HSBC Window** – Building Control at Tower Hamlets Council had been in contact with HSBC regarding the incident and had received reassurances.
- **Café Fire** – It was noted that the cause of a fire had now been confirmed as a faulty toaster.

- **Christmas Period Parking** – The Superintendent confirmed that the Market had experienced its busiest ever last Saturday before Christmas and that, although parking had been limited, the arrangements appeared to have worked well with no complaints from the public or TfL.

New Spitalfields

- **Entry Barrier** – Members noted that terms and conditions had now been drafted with the tender to be published either by the end of the week or the beginning of next week. Costings information would be reported at the next meeting.
- **Security** – The Superintendent informed the meeting that it was intended to bring security to the next level with the fully integrated GuardTek solution that operates through an App. Feasibility work was being carried out with the intention of including the upgrade within next year's business plan.
- **Debtors** – It was noted that historic debts payable continued to be pursued.

Smithfield

- **Christmas Period Parking** – The Superintendent said that the Christmas traffic plan included access changes and that overall the plan had worked well, with some lessons learnt for further improvements in 2018. It was noted that Common Councilman Morris had visited and reported his views back.
- It was noted that the Smithfield remembrance event had taken place on Tuesday 23 January 2018 to mark the 60th anniversary of the Poultry Market fire.

The Chairman reminded the Superintendent that a written report had been promised on traffic and parking at the market, and he was disappointed it was again not provided, and he requested it be submitted to the next meeting. Specifically information on traffic volume using our car park at the market and how it varies.

A Member raised the question of the oral updates given to the Committee and asked that future reports be generally in writing, with oral updates covering only minor matters and late information that could not otherwise have been included in a written paper. The Member also asked that the most important items, particularly those for decision, be placed higher on the agenda for meetings. The Chairman confirmed that further discussions would take place.

RECEIVED.

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

The Committee considered the report of the City Surveyor on the Smithfield Market Condenser Water Cooling System.

The following matter was raised:-

- The Chairman put forward the view, and the Committee agreed, that this report no longer be a standing item on the Committee's, with future reports to be submitted only when strictly necessary.

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

There were no questions.

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

There were no urgent items.

12. **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.

13. **LONDON MARKETS BOARD (CONTINUED)**

14. Responding to a Members' earlier point, the Director of Markets and Consumer Protection gave some background to the creation of the London Markets Board and undertook to raise again the question of the City's representation on the Board.

14. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 29 November 2017 were approved as a correct record, subject to one amendment.

15. **STRATEGIC MARKETS REVIEW**

The Committee considered the report of the Director of Markets and Consumer Protection on the Strategic Markets Review.

RESOLVED – That the recommendations set out in the report be approved.

16. **SMITHFIELD MARKET - LEASE OF SECTION OF BASEMENT CAR PARK AREA**

The Committee considered the report of the City Surveyor on the lease of a section of the basement car park at Smithfield Market.

RESOLVED – That the recommendations set out in the report be approved.

17. **MARKETS DEBT ARREARS - PERIOD ENDING 31 DECEMBER 2017**
The Committee considered the report of the Director of Markets and Consumer Protection on Market debt arrears for the period ending 31 December 2017.

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18. **DEBT WRITE OFF**
The Committee considered the report of the Director of Markets and Consumer Protection on debt write off.

RESOLVED – That the recommendations set out in the report be approved.

19. **TENANCIES AT WILL AND ASSIGNMENTS**
The Committee considered the report of the Director of Markets and Consumer Protection on tenancies at will and assignments.

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20. **NON PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
There were no questions.

21. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**
There was one item of urgent any other business raised by a Member and considered urgent by the Chairman relating to the Poultry Market.

The meeting ended at 1.15 pm

Chairman

Contact Officer: Martin Newton
tel. no.: 020 7332 3154
martin.newton@cityoflondon.gov.uk