Public Document Pack



Markets Committee

Date: WEDNESDAY, 13 JANUARY 2021

Time: 11.30 am

Venue: REMOTE MEETING – ACCESSIBLE VIRTUALLY

Members: John Chapman (Chairman) Gregory Lawrence

James Tumbridge (Deputy Deputy Edward Lord

Chairman) Wendy Mead

Matthew Bell Deputy Robert Merrett

Peter Bennett Deputy Brian Mooney (Chief Commoner)

Nicholas Bensted-Smith Hugh Morris

Mark Bostock Deputy Joyce Nash

Deputy David Bradshaw John Petrie Simon Duckworth Stephen Quilter

John Edwards Deputy Elizabeth Rogula

Deputy Kevin Everett John Scott Helen Fentimen Ian Seaton

Alderman Alison Gowman Deputy Dr Giles Shilson

Alderman David Graves Mark Wheatley

Deputy Tom Hoffman Deputy Philip Woodhouse

Michael Hudson
Deputy Henry Jones
Angus Knowles-Cutler

Dawn Wright

Enquiries: Antoinette Duhaney, antoinette.duhaney@cityoflondon.gov.uk

Accessing the virtual public meeting

Members of the public can observe this virtual public meeting via YouTube at the following link https://youtu.be/7ktt6JkqDs4

Meeting Recordings

This meeting will be a virtual meeting and therefore will not take place in a physical location following regulations made under Section 78 of the Coronavirus Act 2020. A recording of the public meeting will be available via the above link following the end of the public meeting for up to one municipal year. Please note: Online meeting recordings do not constitute the formal minutes of the meeting; minutes are written and are available on the City of London Corporation's website. Recordings may be edited, at the discretion of the proper officer, to remove any inappropriate material.

John Barradell
Town Clerk and Chief Executive

AGENDA

Part 1 - Public Agenda

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

To agree the public minutes of the meeting held on 25 November 2020.

For Decision

4. OUTSTANDING ACTIONS LOG (TO FOLLOW)

Report of the Town Clerk.

For Information

5. MARKETS SUPERINTENDENT UPDATES

The Market Superintendents for Billingsgate, New Spitalfields, and Smithfields Markets, to be heard.

For Information

6. MARKETS COMMITTEE RISK UPDATE

Report of the Director of Markets & Consumer Protection

For Information

(Pages 1 - 18)

7. REVENUE AND CAPITAL BUDGETS 2021/22 (TO FOLLOW)

Report of the Chamberlain and Director of Markets & Consumer Protection

For Decision

8. MARKETS & CONSUMER PROTECTION DEPARTMENT 2021/22 BUSINESS: MARKETS

Report of Director of Markets & Consumer Protection

For Decision

(Pages 19 - 24)

9. MARKETS BUSINESS PLAN UPDATE PERIOD 2 2020/21 (AUGUST-NOVEMBER)

Report of Director of Markets & Consumer Protection

For Information

(Pages 25 - 42)

10. MAINTENANCE REPORT

Report of Director of Markets & Consumer Protection

For Information (Pages 43 - 58)

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

12. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

13. 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.

For Decision

Part 2 - Non-Public Agenda

14. NON-PUBLIC MINUTES (TO FOLLOW)

To agree the non-public minutes of the meeting held on 25 November 2020.

For Decision

15. TENANCY AT WILL AND ASSIGNMENTS

Report of Director of Markets & Consumer Protection

For Information (Pages 59 - 62)

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

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

Part 3 - Confidential Agenda - Circulated Separately

18. **CONFIDENTIAL MINUTES (TO FOLLOW)**

To agree the confidential minutes of the meeting held on 25 November 2020.

For Decision

19. MARKET TENANTS AND COVID19 - PROPOSAL FOR ADDITIONAL SUPPORT (TO FOLLOW)

Report of the Director of Markets & Consumer Protection and City Surveyor.

For Decision



Agenda Item 6

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Committee(s)	Dated:
Markets Committee	13 January 2021
Subject: Markets Committee Risk	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	1. People are safe and feel safe. 7. We are a global hub for innovation in finance and professional services, commerce and culture.
Does this proposal require extra revenue and/or capital spending?	N
Report of: Jon Averns	For Information
Report author: Donald Perry, Department of Markets & 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 has identified a number of departmental risks. Of these, the most significant risks for this Committee to consider are:

- MCP-BG 001 Workplace Traffic Management, Billingsgate (AMBER)
- MCP-BG 002 Building maintenance-management, Billingsgate (AMBER)
- MCP-NS 001 Workplace Traffic Management, New Spitalfields (AMBER)
- MCP-NS 003 Building maintenance-management, New Spitalfields (AMBER)
- MCP-SM 011 Brexit impact of no-deal Brexit on traders and imports, Smithfield (AMBER)
- MCP-SM 012 Building maintenance-management, Smithfield (AMBER)
- MCP-SM 001 HGV Unloading Operations, Smithfield (AMBER)
- MCP-WM 001 Wholesale Markets Consolidation Project (AMBER, 8)
- MCP-SM 013 East Poultry Avenue Canopy Failure, Smithfield (GREEN)
- MCP-SM 014 Glass Canopy Failure, Smithfield (GREEN)

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 its operations.

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Main Report

Background

1. The Risk Management Framework of the City of London Corporation (the City) requires each Chief Officer to report regularly to Committee the key risks faced in their department.

Current Position

This report provides an update on 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 ongoing review of risk and mitigating actions.

Risk Management Process

- 3. Risk Management is a standing agenda item at the regular Departmental Senior Management Group (SMG) meetings, over and above the suggested quarterly review. The 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 addition to the risk register as part of updates on key issues from each of the Superintendents and Assistant Directors, ensuring that adequate consideration is given to operational risk.
- 4. Between each SMG meeting, risk and control owners are consulted regarding the risks for which they are responsible, with updates captured accordingly.
- 5. Regular risk management update reports are provided to this Committee in accordance with the City's Risk Management Framework.

Identification of New Risks

- 6. New and emerging risks are identified through a number of channels, the main being:
 - Directly by SMG as part of the regular review process.
 - In response to regular review of delivery of the departmental Business Plan; slippage against key deliverables, for example.
 - Annual, fundamental, risk register review, undertaken by the tier of management below SMG.
- 7. The risk register (attached at Appendix A) may be refreshed over and above the stated process for review and oversight, in response to emerging issues or changing circumstances.
- 8. As part of the City Corporation's response to the threat of the COVID-19 virus affecting the operation of services and support for its stakeholders, a command and control structure has been implemented with Gold, Silver and Bronze levels to manage the ongoing situation.
- Gold requested that all Silver Groups should develop COVID-19 risks that may affect the departments that report to these groups. These risks are now recorded on the Pentana Risk system.

- 10. Guidance has been issued to all Chief Officers to report relevant Silver Group risks to their appropriate service/Grand Committee with the regular risk update reports that committee would receive. These risks are attached as Appendix B. Members are asked to note that no target date has been included for the mitigation of each risk given the current uncertainty of the duration of this pandemic.
- 11. This approach enables Members to question and seek assurance that departmental COVID-19 risks, held at Silver Group, are being managed and mitigated effectively.

Summary of Key Risks

- 12. The Department of Markets and Consumer Protection's Risk Register for Markets (Appendix A) contains ten risks, listed here with their current rating:
 - MCP-BG 001 Workplace Traffic Management, Billingsgate (Amber, 12)
 - MCP-BG 002 Building maintenance-management, Billingsgate (Amber, 12)
 - MCP-NS 001 Workplace Traffic Management, New Spitalfields (Amber, 12)
 - MCP-NS 003 Building maintenance-management, New Spitalfields (Amber, 12)
 - MCP-SM 011 Brexit impact of no-deal Brexit on traders and imports, Smithfield (Amber, 12)
 - MCP-SM 012 Building maintenance-management, Smithfield (Amber, 12)
 - MCP-SM 001 HGV Unloading Operations, Smithfield (Amber, 8)
 - MCP-WM 001 Wholesale Markets Consolidation Project (Amber, 8)
 - MCP-SM 013 East Poultry Avenue Canopy Failure, Smithfield (Green, 4)
 - MCP-SM 014 Glass Canopy Failure, Smithfield (Green, 2)
- 13. The Department of Markets and Consumer Protection's COVID-19 Risk Register for Markets (Appendix B) includes one risk:
 - CVD19 SPGS 03 Wholesale Markets (Amber, 8)

Conclusion

14. 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 Markets COVID-19 Risk Summary

Background Papers

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

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MCP Markets Committee Risk Report Appendix A

Report Author: Joanne Hill **Generated on:** 05 January 2021



Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating	& Score	Risk Update and date of update	Target Risk Rating &	Score	Target Date	Current Risk score change indicator
MOP-BG 001 Morkplace Cansport Cansport Cansport Daniel Ritchie	Cause: A lack of suitable and sufficient training and adequate management controls in relation vehicle movements at Billingsgate Market. Event: There is a risk of a life changing injury to a pedestrian if vehicle movements including forklift trucks are not appropriately managed and controlled. Effect: An accident involving a pedestrian and a vehicle which resulted in a serious or life changing injury could result in prosecution, a fine, reputational damage for the City.	Likelihood	12	This risk has been reviewed and is being held at Amber until we have total compliance with our traffic management policies. 31 Dec 2020	Likelihood	8	31-Mar- 2021	Constant

Action no	Action description	Latest Note	Latest Note Date	Due Date
MCP-BG 001e	Respond to recommendations and agree an action plan.	An action plan has been put in place to deal with the highest risk factors.	 31-Dec- 2020	31-Mar- 2021
	Complete actions and record evidence with a view to reducing the risk rating (if appropriate).	Actions are currently being addressed in order of priority.	 	31-Mar- 2021

Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score	Risk Update and date of update	Target Risk Rating & Score	Target Date	Current Risk score change indicator
MCP-BG 002 Building maintenance- management 29-Sep-2020 Jon Averns	Cause: The deterioration of physical assets due to the lack of adequate maintenance Event: Partial collapse or failure of structure. Effect: Serious harm to building occupiers and members of the public by exposure to various physical hazards Loss of use of physical assets through accident investigations and enforcement authority prohibitions, etc Financial losses through potential Health and Safety Executive (HSE) fees for intervention, prosecution, civil claims and reputational damage to the City.	Impact 12	The Superintendent will liaise with the City Surveyor's department to arrange for a condition survey to be carried out. 31 Dec 2020		31-Mar- 2021	Constant

Action no	Action description	Latest Note	Latest Note Date	Due Date
P-BG 002a				31-Mar- 2021

Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating &	k Score	Risk Update and date of update	Target Risk Rating & Score	re Ta	arget Date	Current Risk score change indicator
MCP-NS 001 Workplace Traffic Management 24-Feb-2015 Emma Beard; Sean Benton; Debbie Howard	Cause: Over 200 forklift trucks operate on the New Spitalfields Market site. Event: There is a serious risk of life changing injury to a pedestrian if vehicle movements in this constrained space are not appropriately managed and controlled. Effect: An accident involving a pedestrian and a vehicle which resulted in a serious or life changing injury could result in prosecution, a fine, reputational damage for the City and have an adverse impact on the operation and sustainability of the service.	Impact		Monitoring of the current technical faults is ongoing. Discussion with the provider is also ongoing both from an operational and contractual basis. The project has not been signed off due to the ongoing faults and discussions. 04 Jan 2021	poor T	8	31-Mar- 2021	Constant

α	Action description	Latest Note	Latest Note Date	Due Date
P NS-001m		Software has been updated as planned. minor technical issues are still in need of action Project not complete until these are resolved.		31-Mar- 2021
MCP-NS 001i		All but four have complied and taken the training. These tenants will receive an enforcement notice under the enforcement policy until they are compliant		31-Mar- 2021

Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating &	& Score	Risk Update and date of update	Target Risk Rating &	Score	Target Date	Current Risk score change indicator
MCP-NS 003 Building maintenance- management 29-Sep-2020 Jon Averns	Cause: The deterioration of physical assets due to the lack of adequate maintenance Event: Partial collapse or failure of structure. Effect: Serious harm to building occupiers and members of the public by exposure to various physical hazards Loss of use of physical assets through accident investigations and enforcement authority prohibitions, etc Financial losses through potential Health and Safety Executive (HSE) fees for intervention, prosecution, civil claims and reputational damage to the City.	Likelihood	12	Awaiting dates from City Surveyor's Department. 23 Dec 2020	Impact	1	31-Mar- 2021	Constant

Action no	Action description		Latest Note Date	Due Date
CP-NS 003a	Condition survey to be carried out.			31-Mar- 2021

Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & So	core	Risk Update and date of update	Target Risk Rating &	Score	Target Date	Current Risk score change indicator
MCP-SM 011 Brexit - impact of Brexit on traders and imports Sep-2019 The Sherlock	Cause: The outcome of Brexit negotiations between the UK government and the EU fails to secure continuity of contracts and/or security of supply chains. Event: The market tenants fail to prepare appropriately for the end of the Brexit transition period on 31 December 2020. Uncertainty around the potential outcomes until it is too late to react. Effect: Delays and disruption in the food supply chain, and shortages of product over a prolonged period. There is also a risk, albeit unlikely, that this could impact the financial viability of some tenants' businesses. This in turn could lead to business failures and vacant premises at the markets but given the current position this seems highly unlikely.			A deal has now been agreed between the UK & the EU which has been been ratified in Parliament. The deal removes the threat of tariffs or quotas and should therefore reduce the risk of disruption to meat supplies to the Market, and the continuing export of carcass meat to the continent. There is a reduced risk that exporters and importers may not have the correct process documentation in place in time and so any potential impact of this will be further assessed in the coming weeks. 31 Dec 2020	Impact	1	31-Jan- 2021	Decreasin g

Action no	Action description		Latest Note Date	Due Date
MCP-SM 011a	holding areas in the vicinity of the market to cope with the anticipated increased volume of traffic, including the	Market roof project is underway in consultation with DBE. 8 bays are currently fully suspended which removes the opportunity for 12 HGVs to park. The aim is to get some of these reviewed and where at all possible, returned to Market use.	 	31-Jan- 2021
		There is now an annual leave moratorium in place for all staff for at least the whole of January. This will be reviewed once the outcome of current trade negotiations is known and removed or extended where necessary. Roster and staffing levels are also reviewed regularly. Additional 3rd party resource is available on a man-hour basis.	18-Dec- 2020	31-Jan- 2021

			31-Jan- 2021
Open Charterhouse Street and Long Lane to two-way traffic.	Long Lane is now two-way from the junction of Lindsey Street. The DBE has declined the Superintendent's request for an additional access route to the Market via Giltspur Street.		31-Jan- 2021

Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating	& Score	Risk Update and date of update	Target Risk Rating & S	Score	Target Date	Current Risk score change indicator
MCP-SM 012 Building maintenance- management ASep-2020 Averns	Cause: The deterioration of physical assets due to the lack of adequate maintenance Event: Partial collapse or failure of structure. Effect: Serious harm to building occupiers and members of the public by exposure to various physical hazards Loss of use of physical assets through accident investigations and enforcement authority prohibitions, etc Financial losses through potential Health and Safety Executive (HSE) fees for intervention, prosecution, civil claims and reputational damage to the City.	Impact	12	New condition surveys are currently being scoped and contracts placed by CSD. The funding will come from the MCP programme budget. It is expected that the surveys and recommendations will be available in the first quarter of 2021 and they will form the basis of revised and accelerated CWP programmes where appropriate. There is now a regular forward maintenance & project plans Working Group with both Directors and Officers from the CSD and Markets departments. 15 Dec 2020	Impact	1	30-Apr- 2021	Constant

Action no	Action description		Latest Note Date	Due Date
MCP-SM 012a	,	Over-arching condition survey tenders were due back with City Surveyor's Department on the 14th December. Surveys will be instructed to take place early in the New Year.	 	31-Mar- 2021

Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score	Risk Update and date of update	Target Risk Rating & Score	Target Date	Current Risk score change indicator
MCP-SM 001 HGV Unloading Operations Pag O A N 24-Feb-2015 Mark Sherlock	Cause: A lack of suitable and sufficient training and adequate management controls in relation to Heavy Goods Vehicle banksman activities undertaken by staff employed by Smithfield Market tenants. Event: Serious or life changing injury to members of the public, market staff and other service users caused by uncontrolled or unguided reversing vehicles. Effect: Realisation of this risk could result in a prosecution, fine and reputational damage for the City.	Impact	An HGV audit was undertaken from 8/11/2020-12/11/2020 to monitor and observe health and safety issues. Within the allotted time frame: Tensa deployed: 22/96 = 23% Driver guided movements: 7/96 = 7% Tenant guided movements: 80/96 = 83% Non guided movements: 7/96 = 7% A high percentage of non-guided movement was observed, and logistic companies and tenants were recorded. Letters to those parties involved have been issued, with a joint letter of best practice and Site Rules to be re-issued to all delivery companies and tenants in the New Year to remind drivers and tenants of their duty of care for HGV deliveries at the Market. A further audit is planned towards the end of January 2021 with regular continuing audits, as is currently the case. 16 Dec 2020	Impact 8	31-Mar- 2021	Constant

Action no	Action description		Latest Note Date	Due Date
MCP-SM 001k	F			31-Mar- 2021

Tensa deployed: $22/96 = 23\%$ Driver guided movements: $7/96 = 7\%$ Tenant guided movements: $80/96 = 83\%$ Non-guided movements: 7 over $96 = 7\%$		
A high percentage of non-guided movement was observed, and logistic companies and tenants were recorded. Letters to those parties involved have been issued, with a joint letter of best practice and Site Rules to be re-issued to all delivery companies and tenants in the New Year to remind drivers and tenants of their duty of care for HGV deliveries at the Market. A further audit is planned towards the end of January 2021 with regular continuing audits, as is currently the case.		

Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating	& Score	Risk Update and date of update	Target Risk Rating &	Score	Target Date	Current Risk score change indicator
Wholesale Markets Consolidation Project	Cause: The City of London Corporation is unable or decides not to complete the markets consolidation project or, determines an alternative use for proposed location on the Barking site Event:	Likelihood	8	M&CP is working with the City Surveyor to progress building condition surveys.	Likelihood	4	31-Dec- 2026	-
Jon Averns	The City's three wholesale food markets, New Spitalfields, Smithfield and Billingsgate are unable relocate to the Barking site. Effect: This could result in the following: Tenant claims against City of London Corporation for loss of earnings and other incurred costs.			22 Dec 2020	прасс			Constant
Page 14	Continuing losses from market operations affecting departmental budget Relationships with tenants being adversely affected resulting in adverse publicity and possibly leading to reputational damage to the City. Markets begin to decline possibly to the point where they are irrecoverable.							

Action no	Action description		Latest Note Date	Due Date
	markets will not be forced to close due to failing infrastructure.	A maintenance strategy has been agreed to ensure that appropriate levels of maintenance continue to be carried out until there is more certainty about the markets' move. This will cover the risk that the markets cannot operate due to failing infrastructure. The City Surveyor's Department is arranging for condition surveys to be carried out at all three markets to inform forward maintenance planning		17-Dec- 2026
MCP-WM 001a	1	This risk will be reviewed and updated on a quarterly basis until such a time that more frequent reviews are required.		31-Dec- 2026

Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating	& Score	Risk Update and date of update	Target Risk Rating & S	Score	Target Date	Current Risk score change indicator
MCP-SM 013 EPA Canopy Failure 172Aug-2020 Wark Sherlock	Cause: Lack of condition survey and maintenance. Event: Sections of concrete canopy fail and collapse following extreme weather. Effect: Serious harm to building occupiers and members of the public by exposure to various physical hazards Loss of use of physical assets through accident investigations and enforcement authority prohibitions, etc Financial losses through potential Health and Safety Executive (HSE) fees for intervention, prosecution, civil claims and reputational damage to the City.	Likelihood	4	High priority H&S works were completed in East Poultry Avenue and the road, remaining pavement and 3 Market access gates were fully reopened on the 30th November. There are additional recommended works planned for early 2021 as part of the structural survey contractor recommendations. City Surveyor's Department will programme these works in consultation with the Superintendent around the Market operation. 15 Dec 2020	Likellhood	4	31-Mar- 2021	Decreasin g

Action no	Action description		Latest Note Date	Due Date
	West Poultry Ave. Erect crash mats and support props to secure remaining structure.	8 1 1 3 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	 	31-Jan- 2021

	indicator
MCP-SM 014 Glass Canopy Failure Refer: Lacerations, fractures and/or impact injuries to pedestrians who may be showered with glass fragments. Page O7-Oct-2020 Returning to the remaining canopy around the entire East & West Market was completed on the 9th December. A further (4th) glass panel failed on the 11th December but was contained as designed by the crash deck. Sandberg's condition report was received by the CSD on the 11th December and summated recommendations shared with Members by CSD on the 14th December. It is very unlikely that nicked sulphide inclusions caused the failures, and the most likely cause is metal components coming into direct contact with the glass. The Corporation will focus on addressing this risk and there are a number of recommended actions to be undertaken from the report. Quotes will now be obtained for the remedial work and a programme developed for urgent address. The crash deck will remain in place until further notice. 15 Dec 2020	Decreasin g

Action no	Action description		Latest Note Date	Due Date
MCP-SM 014	agreed for safe return of glass canopy to operational uses.	On Friday 11 December, a glass pane failed on the SE Elevation. The crash deck boarding was able to catch the majority of the glass fragments, with a small amount falling through to ground level. Staff on site were able to clear the debris and the incident was reported.		31-Jan- 2021

M&CP COVID-19 Silver - Appendix B

Report Author: Joanne Hill **Generated on:** 05 January 2021



sk no, Title, Cation date, Ovner	Risk Description (Cause, Event, Impact)	Current Risk Rating	& Score	Risk Update and date of update	Target Risk Rating & Sc	core	Target Date	Current Risk score change indicator
CVD19 SGPS 03 Wholesale Markets (M&CP) 09-Apr-2020 Jon Averns	Cause: The spread of COVID-19 continues to escalate affecting staff, businesses and stakeholders. Event: Trading at the markets reduces to a point where businesses will begin to close, either temporarily or cease trading permanently. Absence levels of CoL staff increase to a point where we are unable to provide critical services. This includes maintaining regulatory compliance Effect: The spread of COVID-19 impacts on the City's ability to safely operate the three wholesale food markets leading to partial or full closure which may lead to permanent business closures and affect the future viability of the markets. Reputational and damage to the City and public health risks may be realised due to overcrowding. The City may also be unable to recover debts if businesses are not sufficiently able to mitigate the threat of coronavirus to enable them to reopen post lockdown.	Likelihood	8	Trading is currently at a steady state and will be kept under review. The recent lockdown, the introduction of Tier 4 restrictions and temporary border closure are likely to impact on this risk. 04 Jan 2021	Impact	4	31-Mar- 2021	Constant

Action no, Title,	Action description	Latest Note	Action owner	Latest Note Date	Due Date
CVD19 SG BE 03a Planning	Prepare and implement plans that will be deployed based upon the continuing /evolving situation.	A standard operating procedure has been produced with Public Health England and is now in place.	Jon Averns	04-Jan-2021	31-Jan- 2021
03c Market operations	Review market operations to evaluate the possibility of implementing social distancing, PPE and delivery of orders to reduce the need for collection and other measures to keep people safe.	All three markets have implemented the following social distancing and public information measures. The constabulary are visible on the market floor and advising the public to stay apart. Posters are in place and visitors are given flyers reminding them of social distancing guidelines. During trading hours there are regular public address system announcements reminding market users of social distancing guidelines. Entry is refused to non-wholesale customers and groups of people. One member of the group will be admitted access. The Superintendents will speak with tenants whose businesses attract more public sales and instruct them to do more to manage their customers. It has been decided that line marking is not an option as the tape will not stick to market flooring and coloured lines would fade quickly. These measures compare favourably with the steps taken by other UK wholesale markets. We are currently following UK Government guidance on track & trace (QR codes have been installed) and the wearing of face masks.	Jon Averns	04-Jan-2021	31-Jan- 2021
D19 SG BE dl Financial considerations	Evaluate the implementation of temporary financial help for market tenants if packages provided by Central Government prove to be insufficient.	Letters offering financial support have been issued and we are considering responses as they are received.	Jon Averns	04-Jan-2021	31-Jan- 2021

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Agenda Item 8

Committees:	Dated:
Markets Committee	13 January 2021
Subject: Markets & Consumer Protection Department 2021/22 Business: Markets	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	4 and 7
Does this proposal require extra revenue and/or capital spending?	N
Report of:	For Decision
Director of Markets and Consumer Protection	
Report author:	
Don Perry, Markets and Consumer Protection	

Summary

This report presents for approval the Business Plan for the Markets & Consumer Protection Department: Markets for 2021/22.

Recommendation

The committee is recommended to:

- i) <u>Note</u> the factors taken into consideration in compiling the Markets & Consumer Protection Department: Markets Business Plan; and
- ii) Approve, subject to the incorporation of any changes sought by this Committee, the departmental Business Plan for Markets & Consumer Protection Department: Markets for 2021/22 (or the elements therein that fall within this committee's Terms of Reference).

Main Report

Background

1. Business Plans for 2021/22 are being presented based on current departmental structures. These will be adjusted, alongside budgets, when any changes to these structures are implemented.

Current Position

- 2. Business Plans are aligned to departments, so all financial information presented within the Business Plan reflects the departmental budget rather than the Committee budget.
- 3. The elements of the Business Plan presented are relevant to the Markets committee.

Proposal

4. The draft high-level summary Business Plan for Markets & Consumer Protection Department: Markets is presented at **Appendix 1**.

Key Data

 Key data is presented within the draft high-level summary Business Plan for Markets & Consumer Protection Department: Markets is presented at **Appendix** 1

Corporate & Strategic Implications

- 6. <u>Strategic implications</u> Strategic priorities and commitments are expressed in **Appendix 1**.
- 7. <u>Financial implications</u> The draft high-level summary Business Plan at **Appendix** 1 has been drawn upon the basis of a 12% reduction in the departmental budget compared to 2020/21. This is to support the achievement of an overall budget reduction of 12%.
- 8. <u>Risk implications</u> A summary of the key risks managed by the department is included in the draft high-level summary Business Plan at **Appendix 1**.
- **9.** Resource implications Any changes to resources will be identified and delivered through the move to the Target Operating Model.
- **10.** <u>Equalities implications</u> Equalities, Diversity and Inclusion self-assessment scores are included in the draft high-level summary Business Plan at **Appendix 1.**
- 11. <u>Climate Implications</u> Supporting the Climate Action Strategy by encouraging SMEs (tenants) to reduce their carbon footprint and to operate as a vital link in the food supply chain.
- 12. Security implications No relevance to security implications.

Conclusion

13. This report presents the draft high-level summary Business Plan for 2021/22 for This committee is recommended to approve it in respect of the elements relevant to its Terms of Reference (listed in paragraph 3).

Appendices

 Appendix 1 – Draft High-level summary Business Plan 2021/22 for Markets & Consumer Protection Department: Markets

Report Author

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THE MARKETS' VISION IS:

To provide a vital link in the food supply chain for London and the South by operating three thriving wholesale food markets.

Our major workstreams this year will be...

- 1. Collaborate with the Markets Colocation Project Team to ensure that the requirements of Markets' stakeholders are taken into account as the programme progresses.
- 2. Implement actions arising from the condition surveys that are to be carried out at each of the markets.
- 3. Implement alternative, more efficient methods of delivery across all the services we provide to make the required savings, by reducing expenditure and increasing income.
- Implement actions arising from the new Target Operating Model and provide open and early communication to all employees.
- Page-2 Support tenants' businesses through the continuing challenges presented by the Covid 19 pandemic.

Work with our tenants to help mitigate the impact of Brexit challenges. Procure and deliver a new waste contract at New Spitalfields Market.

- Expand the HGV unloading area at New Spitalfields Market.
- 9. Undertake the actions identified in the Department's Equality, Diversity and Inclusion Action Plan.

Our Strategic Commitments

Climate Action Strategy - Support SMEs (tenants) to reduce their carbon footprint and to operate as a vital link in the food supply chain.

Corporate Apprenticeship Scheme - We will support the scheme by continuing to offer suitable placements for candidates.

Volunteering Strategy - We will promote opportunities and benefits to our staff to encourage greater participation in volunteering activities within and outside the City.

The Corporate Plan outcome the Markets have a direct impact on are...

Outcome 4 - Communities are cohesive and have the facilities they need.

Outcome 7 - We are a global hub for innovation in finance and professional services, commerce and culture.

Appendix 1

What changed during 2019/2020

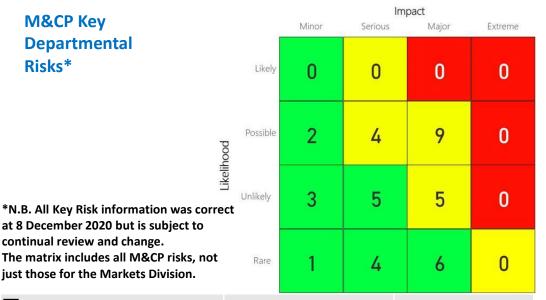
- The Markets continued to operate throughout the COVID-19 pandemic, in a COVID-Secure manner
- Market teams worked flexibly to cover the impact of staff shielding, and staff self-isolating. This included increased use of remote working.
- The entry barrier system at New Spitalfields Market became operational.
- The lockdowns and revised working patterns imposed by the Covid-19 pandemic resulted in reduced income from car parks and filming at the Markets.

Equalities, Diversity and Inclusion Self Assessment	Score
Monitoring and use of data & information	4
Completing Equality Analysis and tackling discrimination and barriers to inclusion	3
Target setting and mainstreaming equalities into performance systems	2
Using procurement and commissioning to achieve equality and cohesion targets	1
Engagement and partnership	3
Employment and training	4

Where 4 is excellent and 2 is average







continual review and change. The matrix includes all M&CP risks, not just those for the Markets Division. Markets main objectives

at 8 December 2020 but is subject to

What we will measure

Link to Corporate Plan Outcomes

He Markets will work with the Project Team to ensure that the Markets Consolidation Programme receives adequate, timely input and that the requirements of Markets' stakeholders are taken into account as the programme progresses.

Markets' stakeholders are fully engaged and consulted about the programme and their requirements are reflected at each stage.

4b. 7c

The Markets will ensure that the Wholesale Markets continue to be managed to deliver safe, compliant trading environments for our tenants, taking into consideration the Maintenance Strategy and actions arising from the Risk Management and Building Maintenance Audit.

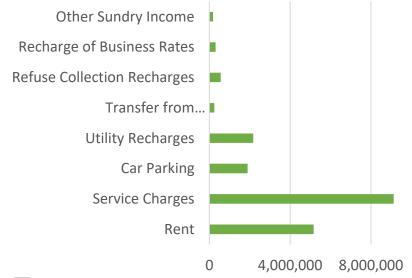
No increase in accident statistics or engineering breakdowns / failures

4b

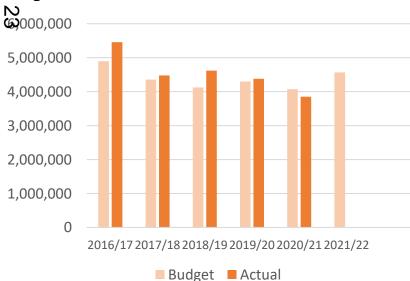
Markets Risk Title	Score
Smithfield Market – Impact of Brexit on traders	12
New Spitalfields Market – Workplace traffic management	12
New Spitalfields Market – Building maintenance-management	12
Smithfield Market – Building maintenance- management	12
Billingsgate Market – Building maintenance- management	12
Billingsgate Market – Workplace transport	12
Smithfield Market – HGV unloading operations	8
Wholesale Markets Consolidation Project	8
Smithfield Market – Cooling water failure	4
Smithfield Market – Power failure	4
Smithfield Market – Fire alarm panel performance	4
Smithfield Market – EPA canopy failure	4
Smithfield Market – Glass canopy failure	2
New Spitalfields Market – Loss of transformer	2
Markets - Covid Risk Title	
The spread of COVID-19 impacts on the City's ability to safely operate the three wholesale food markets.	8



Where our money comes from*



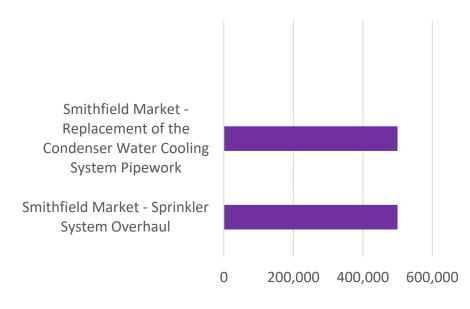




Where our money is spent*



Capital Project Spend



^{* -} Figures include local and central risk budgets

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Committees:	Dated:
Markets Committee	13 January 2021
Subject: Markets Business Plan Update Period 2 2020/21 (August–November)	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	4 and 7
Does this proposal require extra revenue and/or capital spending?	N
Report of:	For Information
Director of Markets and Consumer Protection	
Report author:	
Don Perry, Markets and Consumer Protection	

Summary

This report provides an update on progress made during Period 2 (August-November) of 2020/21 against the key performance indicators (KPIs) and key improvement objectives outlined in the Markets' Business Plan 2020/21.

Recommendation(s)

Members are asked to note the content of this report and its appendices.

Main Report

Background

The 2020-21 Markets Business Plan set out four Key Performance Indicators (KPIs) and 11 Key Improvement Objectives against which the Markets' performance will be measured throughout the year.

Updates on progress against the KPIs and improvement objectives are provided in Appendix A.

Matters of interest and a list of visitors to the Markets are provided in Appendix B.

Financial information including a table detailing the position for the individual services covered by this department are updated in Appendix C.

Current Position

To ensure that your Committee is kept informed of progress against the current business plan, progress against KPIs and key improvement objectives (Appendix A),

matters of general interest (Appendix B), and financial information (Appendix C) are reported on a periodic (four-monthly) basis.

This approach allows Members to ask questions and have a timely input on areas of importance to them. Members are also encouraged to ask the Director for information throughout the year.

Periodic progress is also discussed by Markets and Consumer Protection (M&CP) Senior Management Groups (SMG) to ensure any issues are resolved at an early stage.

Key points are that:

 The COVID-19 outbreak had a significant impact on the work undertaken during Period 2 and Officers in all teams have been fully engaged in dealing with the effects of the outbreak on their service areas, including increased workloads and compliance with new guidance

Markets Consolidation Project

- Negotiations over Heads of Terms are ongoing with Tenants' Associations at Billingsgate and New Spitalfields Markets
- Further engagement meetings have been scheduled with Tenants' Associations for January 2021

Billingsgate Market

- Local management has continued to act as a conduit for Seafish and the Centre for Environment, Fisheries and Aquaculture Science (CEFAS) so that tenants are provided with latest information on industry best practice and BREXIT preparations.
- The newly appointed Head of Security post will be responsible for reviewing the current CCTV system.
- The impact of Covid has been significant on car park and filming income, and the Superintendent is exploring other options.

Smithfield Market

- A corporate risk has been identified with the standard of lithium batteries in certain cars and the installation of EV points in underground car parks.
- November audit on managing risks associated with HGV duties highlighted a 7% non-compliance.
- Current forecast savings for year-end on energy costs are 100k against budget – this includes the 31K reverse-accrual (reported in period 1) and a £20k underspend on water services is forecasted.

New Spitalfields Market

• There has been a 7% reduction in energy consumption for the 6 months April to September 2020 compared to the same period the previous year.

- The barrier was relaunched with new software on 15th November and while there are some issues still to be addressed it is mainly operating to industry standard.
- Meeting with the energy team on 14th January 2021 to discuss energy reduction workshops for tenants.

Corporate & Strategic Implications

Financial implications

- At the end of November 2020, the Department of Markets & Consumer Protection was £97k (26.1%) overspent against the local risk budget to date of £371k, over all the services managed by the Director of Markets & Consumer Protection reporting to the Markets Committee which is largely due to reductions in income from car parking and filming, partly offset by reductions in energy and car park management costs at Smithfield Market and underspends due to staffing vacancies. Appendix C sets out the detailed position for the individual services covered by this department.
- Overall, the Director of Markets & Consumer Protection is currently forecasting a year end overspend position of £71k (4.0%) for his City Fund and City Cash services.

Equalities implications

No relevance to equality.

Climate implications

No relevance to climate.

Security implications

No relevance to security.

Appendices

Appendix A – Progress against key performance indicators (KPIs) and key

Appendix B - Matters of general interest to the Committee.

Appendix C – Financial information

Don Perry

Head of Business Performance, Markets and Consumer Protection

E:Donald.perry@cityoflondon.gov.uk T:020 7332 3221 This page is intentionally left blank

<u>Progress against Key Performance Indicators 2020-21</u> <u>Period two: 1 August – 30 November 2020</u>

	Target 2020/21		Period 1	Period 2	Period 3
percentage of their total invoiced income. Maximum 2% KPI target.	Billingsgate	6.07	6.50%		
	Smithfields	6.37	13.49%		
		Spitalfields	3.99	4.63%	

Comments: The high level of outstanding debt across all three markets very largely relates to the impact of Covid-19 on tenants, uncertainty involving the process of obtaining concessions and government-imposed constraint on the recovery of outstanding monies.

	Target 2020/21		Period 1	Period 2	Period 3
		Billingsgate	100%	100%	
MKP 2	Divert 90% of waste from landfill at the Markets	Smithfield	100%	100%	
	THE INC. IS	Spitalfields	100%	100%	

	Target 2020/21		Period 1	Period 2	Period 3
	E		95%	95%	
MKP 3	Smirmed and New Spirameias Markers.	Smithfield	100%	100%	
		Spitalfields	99%	99%	
Comme	nts: * Smithfield reporting against lettable space only; previous reporting	has included no	n-lettable space	within the Poultry M	1arket.
	Target 2020/21		Period 1	Period 2	Period 3
	Improve the standard of incident reports, ensuring all information and evidence is gathered thoroughly and documented. All reports to be completed within 3 days following the reporting of an incident.	Billingsgate	100%	100%	
MKP 4		Smithfield	100%	100%	
		Spitalfields	100%	100%	

<u>Progress against key improvement objectives 2019-20</u> <u>Period Two: 1 August – 30 November 2020</u>

Ref:	Objective	Progress to date
MKT01	The Markets will work with the Project Team to ensure	Period 1: April – July 2020
	that the Markets Consolidation Programme receives adequate, timely input and that the requirements of markets' stakeholders are considered as the	Engagement meetings have been held with the Spitalfields Market Tenants' Association and the London Fish Merchants Association and preparations are underway for the next round of design workshops.
	programme progresses.	A new website has been launched for the Markets Programme to provide information to all stakeholders (www.wholesalemarkets.co.uk)
		Period 2: August – November 2020
		 Negotiations over Heads of Terms are ongoing with Tenants' Associations at Billingsgate and New Spitalfields Markets
		• Further engagement meetings have been scheduled with Tenants' Associations for January 2021
№ T02	Ensure that the Wholesale Markets continue to be	Period 1: April – July 2020
age 31	managed to deliver safe, compliant trading environments for our tenants.	 An interim maintenance strategy for the Markets has been approved and forward maintenance plans are being reviewed to ensure they align with the requirements of the strategy.
7		Period 2: August – November 2020
		• Condition surveys of all three markets are to be undertaken to inform the forward maintenance plans. The City Surveyor's Department will soon be in a position to instruct contractors for these works with an anticipated start date in early January 2021.
MKT03	Smithfield Market	Period 1: April – July 2020
	Investigate the opportunity to increase the number of vehicles charging points in the Car Park in line with the transport strategy.	• Quotes have been received for the installation of additional charging points which this will potentially increase the number of points from 6 to 18. Currently consulting with procurement to ensure correct governance route.

Appendix A

Ref:	Objective	Progress to date
		 Period 2: August – November 2020 A corporate risk has been identified with the standard of lithium batteries in certain cars and the installation of EV points in underground car parks. A trial fire alert system has been placed in Banyard House to see if this improves response speeds. There are capital fire mitigation works planned for the car park in 2021. These are subject to a Gateway 2 report managed by the City Surveyor's Department. Once the works are complete the Corporation Fire Advisor will then advise if the car park has enough control measures in place to enable more charge points to be installed.
MKT04	Smithfield Market Participate and contribute towards a new Car Park Management operating model with membership of a Corporate review board.	Period 1: April – July 2020 • First draft tender submission detail from Smithfield sent to DBE. Invitation to tender currently planned for September 2020, award November 2020, Court approval March 2021, contract start September 2021.
Page 32MKT05		Period 2: August – November 2020 • The procurement process continues and has passed through all relevant Committees for approval. Soft Market Testing will take place early in 2021 with a planned implementation period of six months due to large data file transitions and potential TUPE of staff.
МКТ05	Smithfield Market Manage and control the risk associated with HGV duties	Period 1: April – July 2020 • Quarterly operational audits continue. July audit highlighted a 7% non-compliance result. One transport company was responsible for half of this and has been written to along with the recipient traders.
		Period 2: August – November 2020 • A 4-night audit carried out on the 9 th November resulted in 96 HGV carcass deliveries and a 7% non-compliance. Both tenants and transport companies have been informed of the results. The Superintendent will re-issue the Smithfield delivery site rules to all traders and transport operators to remind them of the H&S controls in place to safely manage deliveries. The Superintendent has also requested the matter be raised at the next tenant association meeting.
MK06	New Spitalfields & Smithfield Work with the Energy team to optimise the Building Management System and realise cost saving from reduced energy consumption.	Period 1: April – July 2020 Smithfield • £9k saving was achieved on energy and a correction on energy costs for January to March resulted in a £31k reverse-accrual in April and therefore actual savings generated in the final quarter of 19/20; this is a combined saving of £40k. In addition, a £22k saving was achieved on water services (Citygen)as a result of

Appendix A

Ref:	Objective	Progress to date
	•	amended running times to operational equipment. The underspend is expected
		to reduce as demand for cooling increases over the summer months.
		New Spitalfields
		• A meeting with the energy team took place 28.7.2020 and the outcomes from the meeting were:
		• The Energy team will arrange for their new engineer to carry out a site inspection at the end of September with a view to realising what other energy reduction measures can be explored, and these will include common parts, and the tenants' areas of the Market.
		Energy team will write an advisory tenant report and do a site presentation to SpMTA end of October 2020.
		• Energy team will chart current ½ hourly usage to identify peaks and they will also load tenant readings kept locally onto Systemslink to reduce spreadsheet usage for meter data.
		Period 2: August – November 2020
		Smithfield
Page 33		• Current projections for year-end indicate continuing energy cost savings with a projected year-end saving of up to £100k against budget. This includes the £31k reverse-accrual reported in Period 1. Water services currently project a £20k underspend.
ယ္		New Spitalfields
ω		• The Energy Team's engineer visited the market on 21st October 2020 and after an extensive tour they found everything that could be done to reduce energy consumption in the common areas had already been done by the local team. Energy workshops for tenants or speaking to the SpMTA was suggested to see if they could be persuaded to reduce their own consumption and costs within their control. A meeting to discuss arrangements is scheduled 14th January 2021.
		• There has been on average a 7% reduction in consumption for the 6 months April
		to September 2020 compared to the same period for 2019.
MKT07	New Spitalfields	Period 1: April – July 2020
	Maintain and enhance the controlled barrier entry	• A meeting was arranged with the contractor and sub-contractors to discuss the
	system and pedestrian gateway.	problems of completion and the outstanding tasks required. The barrier is not performing to its optimum level due to problems with the software, payment machine and lack of training due to Covid 19.
		• An action plan has been devised with the contractors to complete works by end of August 2020. System training commenced on 27 July 2020.
		A draft letter was resent to the Comptroller for comment on 16 July in relation to compensation for this project. The Superintendent will brief the Chairman and

Appendix A

Ref:	Objective	Progress to date
- KGII		Director on when this letter should be sent, as requested. Either the Chairman or
		the Director will be able to sign the letter.
		Superintendent is awaiting advice from Comptroller as of 28 July 2020.
		Period 2: August – November 2020
		• The barrier was relaunched with new software on 15th November 2020.
		Some minor challenges are still being addressed but it is currently operating within
		industry standards and this has increased revenue by 40% to date.
		• The City is in correspondence with the contractor over compensation for the
		delay in installation. The Director of M&CP and Superintendent have held two meetings with the contractor in order to negotiate a settlement.
		Comptroller and City Solicitor are advising officers.
		• The pedestrian gate software installation project has commenced with the IT
		team and this should be completed by end of January 2021.
MKT08	New Spitalfields Market	Period 1: April – July 2020
	Improve communication with tenants and customers.	• In the last quarter eleven liaison meetings with the SpMTA have been arranged
l –		and these include:
Page 34		 One barrier-specific meeting,
ge		 Three relocation/consolidation meetings,
(D		Two service charge finance specific meetings,
184		One Health and Safety specific meeting. There have the set to set
-		• There have been twenty written communications (letters and leaflets) to tenants
		and customers mainly, but not solely, in relation to Covid 19. Period 2: August – November 2020
		• In the last quarter the following meetings have been arranged and these include:
		Five catering tenants and 1 café owner regarding further support measures.
		• 10 tenants regarding disregard for regulatory issues within the working
		manual.
		4 liaison meetings with the SpMTA and 2 finance meetings.
		•2 letters to all tenants and 1 leaflet to all customers and visitors.
MKT09	Billingsgate Market	Period 1: April – July 2020
	Support Tenant Businesses	• Continue to work with Seafish, the Centre for Environment, Fisheries and
		Aquaculture Science (CEFAS) and other industry organisations to ensure flow of
		information to tenants. Information has been provided throughout lockdown to
		tenants regarding rates, grants, furlough and other business information.
		Period 2: August – November 2020
		• Local management has continued to act as conduit for Seafish and CEFAS so that
		tenants are provided with latest information on industry best practice and BREXIT
		preparations.

Appendix A

Ref:	Objective	Progress to date
MKT10	Billingsgate Market and Smithfield Market	Period 1: April – July 2020
	Review CCTV at Billingsgate and Smithfield Markets	Billingsgate
	and prepare specifications for procurement based	• Impact of Covid-19 and the passing of Head of Security has meant that there has been limited progress with this objective.
	upon the review findings.	Smithfield
		CCTV is fit for purpose and no further review is intended.
		Period 2: August – November 2020
		• The newly appointed Head of Security will start mid-January 2021 and one objective will be to review the current CCTV provision. The review will see some progress made by financial year end but may not be fully complete until summer 2021.
MK11	Billingsgate Market	Period 1: April – July 2020
	Generate additional income at Billingsgate Market.	• An enquiry into filming was received in late July, the first since lockdown, and the aim is to facilitate as many enquiries as we can safely accommodate.
Page		• Over 100 permit holders have resigned their car parking space since lockdown, and as a result the Superintendent is actively looking into all suitable alternative uses that can be made of our facility, but turned down the approach to be a drive-in cinema.
ge		Period 2: August – November 2020
35		• Ongoing impact of Covid related lockdowns and restrictions has meant that filming requests have been very limited. All that we can safely accommodate have been facilitated.
		• Substantial number of permit holder places remain vacant as neighbouring Canary Wharf has seen sizeable fall in numbers working from offices. Other options are being considered to utilise market facilities that will mean less reliance on parking income.

Matters of General Interest to the Committee

Billingsgate Market

	Visitors/Filming/photography	Fee Received
August	Due to Covid 19 no visits have happened.	None
Sept	Due to Covid 19 no visits have happened.	
Oct 7th	Markets Committee Chairman John Chapman visited the market.	
Nov 8 th	Remembrance Service	

Smithfield Market

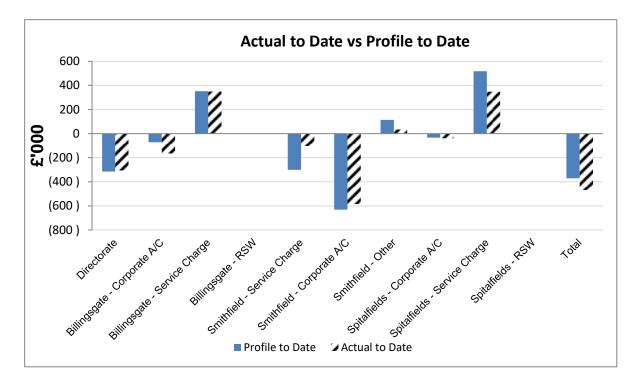
	Visitors/Filming/photography	Fee Received
August	Due to Covid 19 no visits have happened.	None
Sept	Due to Covid 19 no visits have happened.	
Oct 14 th	Markets Committee Chairman John Chapman visited the market.	
Nov 11 th	Remembrance Service	

New Spitalfields Market

	Visitors/Filming/photography	Fee Received
August	Due to Covid 19 no visits have happened.	None
Sept	Due to Covid 19 no visits have happened.	
Oct 9 th	Markets Committee Chairman John Chapman visited the market.	
Nov 25 th	The Markets Christmas Tree lights were switched on by the borough's Mayor -Cllr Christopher Robbins.	

Appendix C – Financial Information

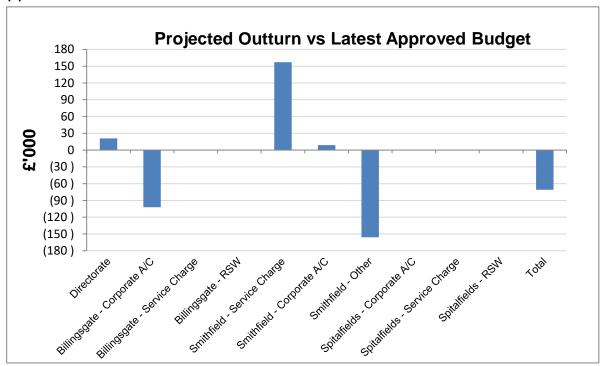
1. The end of November 2020 monitoring position for Department of Markets & Consumer Protection services reporting to Markets Committee is provided below. This shows a net overspend to date for the Department of £97k (26.1%) against the overall local risk budget to date of £371k for 2020/21.



Notes:

- 1. Graph shows the actual local risk net position against the profiled budget to date for each Division.
- 2. A position above the baseline shows overall net income.
- 3. A position below the baseline shows overall net expenditure.
- 4. Markets total actual to date net expenditure of £468k is £97k worse than the profiled budget to date of £371k.
- 2. Overall the Director of Markets & Consumer Protection is currently forecasting a year end overspend position of £71k (4.0%) for his City Fund and City Cash services.

Appendix C – Financial Information



Notes:

- 1. Zero is the baseline latest approved budget for each Division of Service.
- 2. Graph shows projected outturn position against the latest approved budget.
- 3. A variance above the baseline is favourable i.e. either additional income or reduced expenditure.
- 4. A variance below the baseline is unfavourable i.e. additional expenditure or reduced income.
- 5. Overall the Department is forecasting an overspend of £71k at year end.
- 3. The reasons for the significant budget variations are detailed in the table below, 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 manages.
- 4. The worse than budget position at the end of November 2020 relates mainly to reductions in income from car parking and filming, partly offset by reductions in energy and car park management costs at Smithfield Market and underspends due to staffing vacancies.
- 5. The Director of Markets & Consumer Protection anticipates this worse than budget position will continue to year end.

Appendix C – Financial Information

	Latest	Budge	t to Date (Apr	-Nov)	Actua	I to Date (Apr-	·Nov)		Forecas	st for the Year 2	020/21	
	Approved		` .				,					
	Budget	Gross	Gross	Net	Gross	Gross	Net	Variance	LAB	Forecast	(Over) /	
	2020/21	Expenditure	Income	Expenditure	Expenditure	Income	Expenditure	Apr-Nov		Outturn	Under	
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	Note
Markets (City Cash)												
Directorate	(473)	(315)	0	(315)	(306)	0	(306)	Q	(473)	(452)	21	
Billingsgate - Corporate Account	(127)	(176)	104	(72)	(207)	42	(165)	(93)	(127)	(229)	(102)	1
Billingsgate - Service Charge	(121)	(1,616)	1,967	351	(1,530)	1,879	. ,	(2)	(121)	0	(102)	ı i
Billingsgate - Repainting and Special Works	j o	(4)	4	0	(1,000)	0	0.0	0	0	0	0	1
Smithfield - Service Charge	(855)	(1,973)	1,672	(301)	(1,777)	1.674	(103)	198	(855)	(698)	157	2
Smithfield - Corporate and Direct Recovered	(418)	(1,020)	389	(631)	(872)	287	(585)	46	(418)	(409)	9	I − −
Smithfield - Other (Including Car Park)	191	(441)	555	114	(404)	438		(80)	191	35	(156)	3
on a more care (including care any	(1,682)	(5,545)	4,691	(854)	(5,096)	4,320		78	(1,682)	(1,753)	(71)	
Markets (City Fund)	(-,)	(0,010)	.,	(00.)	(0,000)	.,	(115)		(/ /	(, == ,	,	
Spitalfields - Corporate Account	(61)	(34)	0	(34)	(39)	0	(39)	(5)	(61)	(61)	0	,
Spitalfields - Service Charge	(19)		4,291	517	(3,687)	4,034		(170)	(19)	(19)	0	į –
Spitalfields - Repair and Repainting	Ó	(26)	26	0	(26)	26	0	Ó	0	0	0	,
<u> </u>	(80)	(3,834)	4,317	483	(3,752)	4,060	308	(175)	(80)	(80)	0	
TOTAL MARKETS COMMITTEE LOCAL RISK	(1,762)	(9,379)	9,008	(371)	(8,848)	8,380	(468)	(97)	(1,762)	(1,833)	(71)	
Notes: 1. Billingsgate Corporate - the forecast overspend is												

Committee(s)	Dated:
Markets Committee	13 January 2021
Markets Maintenance	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	N/A
Does this proposal require extra revenue and/or capital spending?	N/A
If so, how much?	N/A
What is the source of Funding?	
Has this Funding Source been agreed with the Chamberlain's Department?	N/A
Report of: Director of Markets and Consumer Protection (M&CP)	For Information
Report author: Don Perry	

Summary

The purpose of this paper is to provide the Markets Committee with an overview of the maintenance arrangements at London Central Markets (Smithfield), New Spitalfields and Billingsgate Markets, providing information on responsibilities under the leases as well as how the City delivers maintenance services and sources of funding.

Recommendation(s)

It is recommended that Members note the content of this report.

Main Report

Current Position

- 1. The operations of each Market are managed by a Superintendent based at site. Their role includes management of an inhouse maintenance team who carry out some Planned Preventative Maintenance (PPM) and small reactive works such as plumbing and electrical. The remainder of PPMs and reactive works are covered by the Corporate Building Repairs and Maintenance contractor, Skanska; their contract is managed by the City Surveyor's Operations Group. The split in responsibilities, which is an extract from the Operational Level Agreement signed by each Market is presented in Appendix B.
- 2. The City Surveyor's Department (CSD) manages Forward Maintenance Plans (FMP) for each market which set out 20-year cyclical works, covering building fabric, mechanical, electrical and plumbing (MEP) services. These cyclical work projects are reviewed and shortlisted each year with the Superintendents.
- 3. Condition surveys that were earmarked for next year have been brought forward to the current year to assist the Markets Colocation Programme (MCP). The

condition surveys will cover all main elements of the markets, including fabric, electrical and mechanical elements, under the management and responsibility of the City. This will provide updated forward maintenance plans which will be based on preventative maintenance required for each market to carry out safe and functional operations over the next ten years. In addition, indicative budgetary costs will be shown beyond full lease end to address risk potential if proposed market moves are delayed. The condition surveys are due to commence in January 2021.

4. The City's maintenance responsibilities at each market are slightly different due to variations in lease terms. An overview of lease terms for each market is set out in Appendix B. Also, the nature of the different commodities traded at each market means that the services provided vary slightly, and each has its own individual history and different custom and practice. As a result, the funding strategies and recoverability for maintenance costs, including the Cyclical Works Programme (CWP), also differ with each market.

Smithfield

- 5. Landlord maintenance charges are recoverable through the service charge under the terms of the lease. The service charge is capped at £2.102M per annum.
- 6. All cyclical works for Smithfield form part of the CWP which is funded centrally. CWP projects are reviewed each year, Capital sized projects (over the value of £250,000) are removed to be put forward in the annual Capital Bid process and the remaining projects are reviewed by the CWP Peer Group who utilise a scoring matrix to select projects to be included in the bid for funds process.
- 7. The final bid list is submitted to Corporate Asset Sub Committee and Policy and Resources for approval. A percentage of projects remain within the forward maintenance plans which have been deferred due either being of capital size, or have not met the funding envelope for the CWP and have therefore been deferred to allow the City to get the most out of its assets.

Billingsgate and New Spitalfields

- 8. Landlord maintenance costs including project work is recoverable via the service charge under the lease terms. Exclusions to this are the road structure and car park at Billingsgate.
- 9. All cyclical requirements and projects are financially 'ring-fenced' and recoverable from tenants under the service charge. Each year the projects are selected and agreed with the Superintendents who then seek the necessary permissions to fund the works. The list of works in the FMP for 2021/22 were deferred as both sites have requested to see the outcome of the imminent condition surveys before they finalise their bid.
- 10. The current status of the 2020/21 CWP is presented in Appendix B and includes an overview of works that have agreed funding, those deferred and those that are of capital value.

Conclusion

- 11. It has been recognised by the Interim Maintenance Strategy for Markets, formulated under the auspices of the MCP, that there needs to be a review in the maintenance strategy as the current markets have a finite life and it is important that maintenance is prioritized and scheduled in a way that avoids large amounts of maintenance expenditure towards the end of the operational life of the sites. Until the MCP delivers a new operational market, the City has a statutory obligation to continue to operate the markets on their existing sites, and it will also be important for the private bill that we have clarity around keeping the markets fully and satisfactorily operational.
- 12. The MCP is working with traders at Billingsgate Market as part of ongoing tenant liaison activities and have identified improvements to facilities that tenants would like to see. These works will have to be put into the maintenance programme and the condition survey work will inform a review of how they may be funded. The City will have to consider carefully how it works with tenants to meet their needs but recognise they too will have to consider the expense of remaining in these markets for the next eight years.

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Appendix A - Markets - Maintenance Matrix

Note on acronyms – Markets and Consumer Protection – M&CP; City Surveyors Department - CSD

	Smithfield (City's Cash)	Billingsgate (City's Cash)	New Spitalfields (City Fund)
Lease obligations – landlord's repairing obligations	The maintenance repair amendment renewal replacement cleansing painting decoration and keeping in good and tenantable repair and condition of the foundations, walls cladding windows structural floors columns roofs canopies and other structural parts of London central markets. The exterior, common parts, fire escapes (excluding those serving the commercial offices), any management accommodation, the ABP, plant rooms, roofs or canopies over Grand Avenue and East Poultry Avenue, the glass canopies over the stalls (not cleaning the underside). The maintenance repair replacement and renewal of plant including lifts, heating, refrigeration, ventilation, cooling, CCTV. All service media serving the Market, the landlords heating system, the landlords air handling system (except in tenants' demises). The supply of condenser water, the supply and maintenance of sprinkler and smoke detection	To maintain replace and renew redecorate and otherwise keep in good and tenantable condition all parts of the market including the structure of the market buildings and the floors. To supply and provide maintain renew replace repair and keep in good serviceable order and condition all appurtenances, appointments fixtures and fittings. • Excluding tenants' demises. Tenants pay the full cost of providing the above services. There is a repainting and special works fund i.e. a sinking fund to fund painting, works of a non or irregularly recurring nature or the provision or replacement of machinery or equipment. Current Balance £ 143k There is a sinking Fund Balance £1.74M	To maintain replace amend renew and cleanse and decorate all parts of the market including structural parts and management areas to such standard as is reasonable having regard to the age condition and purpose of the market and the needs of occupiers. • Excluding tenants' demises. • Excluding strengthening of road structure. • Excludes resurfacing car park other than maintaining a level surface Tenants pay the full cost of providing the above services There is a repair and repainting fund – balance £ 253k

		systems. The repair maintenance and renewal of the rail system. • Excluding tenants' demises. Tenants should pay for the full cost of the provision of the above services however this is capped at £2.102M There is a Repainting Reserve which can only be used for repainting works – balance £306k There is no sinking fund. The leases list historic repairs to be undertaken by, and at the cost of, the Landlord.		
The repair and maintenance responsibilities between	M&CP	See appendix A for split of responsibilities from the Operating Level Agreement (OLA)	See appendix A for split of responsibilities from the Operating Level Agreement (OLA)	See appendix A for split of responsibilities from the Operating Level Agreement (OLA)
M&CP and CSD –	CSD	The CWP position for 2020/21 is London Central Market (Smithfield) Agreed funding – 7 projects, estimated total of £430k. Main works include roof works, BMS replacement, water storage tanks, AHU replacement, and chilled water pipework replacement. Reserve List (to be called upon if funds allow) – 13 projects, estimated total £615k. Main works	The position on cyclical works for 2020/21 is Billingsgate Market Deferred – 37 projects, estimated total of £1.3m. Main works include cladding panel replacement, decoration works, car park resurfacing and replacement lighting.	The position on cyclical works for 2020/21 is New Spitalfields Market Deferred - 37 projects, estimated total of £528k. Main works include glazing and window replacement, PA replacement, internal refurbishments.

	cover stone-work restoration, roller shutter replacement and luminaire replacement. • Deferred - 12 projects, estimated total of £295k. Main works include brickwork overhaul and stone cleaning, trace heating replacement. • Capital size – 10 projects, estimated total of £2m. Main works are ductwork clean, condenser pipework replacement, heating pipework replacement, electrical replacement and sprinkler works. Two capital bids have been submitted for 2021/22; sprinkler works and		
	condenser pipework replacement with estimated total of £1.1m.		
The funding sources for repair and maintenance at each market – service charges, sinking funds, CWP, major project bids.	Locally managed R&M costs are	 Locally managed R&M costs are paid for by the tenants through the service charge account except for R&M for the Superintendent's office which is funded by the City. Skanska building repairs and maintenance costs for the Market are paid for by the tenants through the service charge account. R&M for the car park is either funded jointly/individually by the service charge/City depending on the works. Sinking Fund which belongs to the City can also be used to fund specific works. Repainting & Special Works Fund which belongs to the tenants can also be used to fund specific works. 	 Locally managed R&M costs are paid for by the tenants through the service charge account. Skanska building repairs and maintenance costs are capped at £73k on the service charge account with the balance paid for the City on the corporate account. Repairs & Repainting Fund which belongs to the tenants can also be used to fund specific works. There is no CWP at New Spitalfields Market. Capital works costs would be fully recoverable from the tenants via the service charge and/or tenant reserve.

	 Repainting Fund which belongs to the tenants can only be used for painting works. CWP & capital works costs for the Market are funded by the City. CWP & capital works costs for the car park and outside properties are funded by the City. Note: the service charge account is capped, and any increased costs allocated to the service charge would be funded by the City. 	 Accumulator Tower Reserve which belongs to the City can only be used for works relating to the accumulator tower. There is no CWP at Billingsgate Market. Capital works costs would be fully recoverable from the tenants via the service charge and/or tenant reserve 	
The minor and major projects at each market, planned over the next 3 years.	 Minor projects: Installation of LED lighting in common areas on first floor of west market building. Replacement of lighting in charging bays in the east market. Replacement of East Market elevator and de-elevator motors on rail system loading bays. Installation of safety chains on loading arms Replacement of loading bay seals Electrical remedials for Poultry and East market 	 Minor projects: replacement of lighting old for new LED/energy efficient. installation of Rapid EV charge points (by private contractor). Major project: (to be agreed/confirmed with tenants) additional fish handling facility to increase goods receiving capacity at Billingsgate, reduce congestion and to improve health & safety and food hygiene standards. 	 Minor Projects: Pod D Toilet worktop refurbishment and repainting U-turn point at barrier system Emergency lighting replacement batteries LED fittings in common parts of the Catering units. Toilet refurb Pod E HV critical spares Market Hall replacement doors Tenants kWh meter replacement PA system relocate speakers and add messages (if does not work will need replacement PA system) Pod B toilet refurbishment Concrete slab repairs

	Major Projects:
	Repair to market pavilion roof.Replace Pod C roof
	Note – there are no major works currently bid or agreed from 20-year plan for 2021-2022 onwards as awaiting condition survey.
	 Other works planned Petrol Interceptor Survey Roadway resurfacing 5-year electrical test for common parts

Smithfield Market

Facilities Management	LCM – East, West and Poultry Operational Areas
Key FM Task and Who is Responsible	
Reporting FM reactive jobs via Customer Portal	Smithfield
Out of hours job reporting	Smithfield
Maintaining asset register through MICAD CAFM system	Ops FM
Management of centralised FM Budget Lines	Ops FM
Delivery of Skanska Building Repairs and Maintenance Contract – including reactive,	Ops FM
planned preventative maintenance and ad hoc projects	
Delivery of Amalgamated Lift Contract – including reactive, planned preventative	Ops FM
maintenance and ad hoc projects	
Delivery of Beaver Pest Control Contract - including reactive, planned preventative	Ops FM
maintenance and ad hoc projects	
Delivery of Security Services	Smithfield
Delivery of Cleaning services	Smithfield
Delivery of the Window Cleaning Contract	
Delivery of Feminine Hygiene Contract	Ops FM
CCTV Monitoring and Maintenance	Smithfield
Building fabric repairs – first response	Smithfield
Building fabric repairs	Ops FM
Waste removal contracts	Smithfield
Insurance Inspections - arranging site visits and completing remedial works with British	Smithfield / Ops FM
Engineering Services (BES) – updating the BES online system	
Raising and managing Insurance Claims – building related	Ops FM
Raising and managing Insurance claims – people/visitors	Smithfield
Utility Contracts – including billing Water/Electricity – energy team	Smithfield

Detailing changes to the asset register on MICAD	Smithfield / Ops FM
Health and Safety	
Fire Safety Management including; Fire Risk Assessment – ensuring we have an FRA	Smithfield
and actions are being taken and recorded – emailing fire.safety@cityoflondon.gov.uk	
with the updates of actions.	
Fire Strategy and Fire Log Book	Smithfield
Management of compliance documentation on CAFM	Ops FM
Asbestos Management; including production of Asbestos Management Plan, Asbestos	Ops FM
Surveys	
Accident Reporting	Smithfield
Control of Contractors including issuing permits to work, site inductions etc.	Smithfield
Risk Assessments for CSD controlled FM jobs	Ops FM
Risk Assessments for People	Smithfield
Confined Spaces Information	Smithfield / Ops FM
CDM Instruction	Ops FM
Projects	
Management of Capital Projects including Gateway Reports working with Minor/Major	Smithfield / Ops FM
Project team	
Capital Project Board Liaison	Smithfield / Ops FM
Management of Cyclical Works / Minor projects	Ops FM
Annual review of the forward maintenance plans including preparation of the CWP	Smithfield / Ops FM
project bid lists.	
Liaison with FM for Market-led projects	Smithfield
Project Handover Information	Smithfield / Ops FM
Customer Service	
Organise and chair client liaison meetings with between FM and Smithfield	Ops FM
Liaison with tenants and SMTA	Smithfield

Billingsgate Market

Facilities Management	For all COL occupied areas of Billingsgate Market
Key FM Task and Who is Responsible	
Reporting FM reactive jobs via Customer Portal	Billingsgate
Out of hours job reporting	Billingsgate
Maintaining asset register through MICAD CAFM system	FM/Billingsgate
In house maintenance team jobs records held on site.	Billingsgate
Management of FM Budget Lines	FM
Delivery of Skanska Building Repairs and Maintenance Contract – including reactive, planned	FM
preventative maintenance and ad hoc projects	
Delivery of Amalgamated Lift Contract – including reactive, planned preventative	FM
maintenance and ad hoc projects	
Delivery of Pest Control Services - including reactive, planned preventative maintenance and	FM
ad hoc projects	
Delivery of Cleaning services throughout the market	Billingsgate
Delivery of market waste contract	Billingsgate
Delivery of barrier contract - including reactive and planned preventative maintenance	FM (part of BRM contract)
Security for the site – delivered by in house team	Billingsgate
CCTV Monitoring	Billingsgate
CCTV Maintenance	Billingsgate
Insurance Inspections - arranging site visits and completing remedial works with British	FM
Engineering Services (BES) – updating the BES online system	
Raising and managing Insurance Claims – building related	FM/Billingsgate
Raising and managing Insurance claims – people/visitors	Billingsgate
Utility Contracts – including billing Water/Electricity – energy team	Billingsgate
Meter readings –water	Billingsgate
Meter readings – electricity and gas	Billingsgate
Delivery of barrier contract - including reactive, planned preventative maintenance and ad	Billingsgate
hoc projects	
Detailing changes to the asset register on MICAD	FM/Billingsgate
Health and Safety	

Facilities Management	For all COL occupied areas of Billingsgate Market
Key FM Task and Who is Responsible	
Fire Risk Assessment – ensuring we have an FRA and actions are being taken and recorded –	Billingsgate
emailing fire.safety@cityoflondon.gov.uk with the updates of actions.	
Arson Reduction Policy	Billingsgate
Communication of H and S building policies	FM
Fire Strategy	Billingsgate
Management of compliance documentation on CAFM	FM
Asbestos Management Plan	FM
Accident Reporting	Billingsgate
H and S Audits	FM
Control of Contractors – site induction	Billingsgate
Risk Assessments for and CSD controlled FM jobs	FM
Risk Assessment for people	Billingsgate
Permits to work – hot works	Billingsgate
Confined Spaces Information	FM
CDM Instruction	FM
Projects	
Management of Capital Projects including Gateway Reports working with Minor/Major Project team	FM/Billingsgate
Capital Project Board liaison	FM/Billingsgate
Writing Gateway Reports	FM / Billingsgate
Management of Cyclical Works/Minor Projects	FM
Annual review of the forward maintenance plans including preparation of the bid for CWP and identifying capital projects	FM/Billingsgate
Liaison with FM for Billingsgate Market led projects	Billingsgate
Project Handover information	FM/Billingsgate
Customer Service	
Organise and chair client liaison meetings with NSM	FM
Liaison with tenants and SMTA	Billingsgate
FM Customer Satisfaction Surveys	FM

New Spitalfields Market

Facilities Management	For all COL occupied areas of New Spitalfields Market
Key FM Task and Who is Responsible	
Reporting FM reactive jobs via Customer Portal	New Spitalfields
Out of hours job reporting	New Spitalfields
Maintaining asset register through MICAD CAFM system	FM/New Spitalfields
In house maintenance team jobs records held on site.	New Spitalfields
Management of FM Budget Lines	FM
Delivery of Skanska Building Repairs and Maintenance Contract – including reactive, planned preventative maintenance and ad hoc projects	FM
Delivery of Amalgamated Lift Contract – including reactive, planned preventative maintenance and ad hoc projects	FM
Delivery of Pest Control Services - including reactive, planned preventative maintenance and ad hoc projects	New Spitalfields
Delivery of Servest Cleaning Contract including reactive, planned preventative maintenance and ad hoc projects.	FM – offices in Allen House, PODs, Gatehouse and toilets
Delivery of market cleaning and waste contract Country style cleaning and waste contract	New Spitalfields
Delivery of barrier contract - including reactive, planned preventative maintenance and ad hoc projects	New Spitalfields
Security for the site – delivered by in house team	New Spitalfields
CCTV Monitoring	New Spitalfields
CCTV Maintenance	New Spitalfields
Insurance Inspections - arranging site visits and completing remedial works with British Engineering Services (BES) – updating the BES online system	FM/New Spitalfields

Facilities Management	For all COL occupied areas of New Spitalfields Market
Key FM Task and Who is Responsible	
Raising and managing Insurance Claims – building related	FM/New Spitalfields
Raising and managing Insurance claims – people/visitors	New Spitalfields
Utility Contracts – including billing Water/Electricity – energy team	New Spitalfields
Meter readings –water	New Spitalfields
Meter readings – electricity and gas	New Spitalfields
Delivery of barrier contract - including reactive, planned preventative maintenance and ad	New Spitalfields
hoc projects	
Detailing changes to the asset register on MICAD	FM/New Spitalfields
Health and Safety	
Fire Risk Assessment – ensuring we have an FRA and actions are being taken and recorded –	New Spitalfields
emailing fire.safety@cityoflondon.gov.uk with the updates of actions.	
Arson Reduction Policy	New Spitalfields
Communication of H and S building policies	FM
Fire Strategy	New Spitalfields
Management of compliance documentation on CAFM	FM
Asbestos Management Plan	FM
Accident Reporting	New Spitalfields
H and S Audits	FM
Control of Contractors – site induction	New Spitalfields
Risk Assessments for CSD controlled FM jobs	FM
Risk Assessment for people	New Spitalfields
Permits to work – hot works	New Spitalfields
Confined Spaces Information	FM
CDM Instruction	FM
Projects	
Management of Capital Projects including Gateway Reports working with Minor/Major	FM/New Spitalfields
Project team	
Capital Project Board liaison	FM/New Spitalfields
Writing Gateway Reports	FM / New Spitalfields

Facilities Management	For all COL occupied areas of New Spitalfields Market
Key FM Task and Who is Responsible	
Management of Cyclical Works/Minor Projects	FM
Annual review of the forward maintenance plans including preparation of the bid for CWP	FM/New Spitalfields
and identifying capital projects	
Liaison with FM for New Spitalfields Market led projects	New Spitalfields
Project Handover information	FM/New Spitalfields
Customer Service	
Organise and chair client liaison meetings with between FM and New Spitalfields	FM
Liaison with tenants and SMTA	New Spitalfields
FM Customer Satisfaction Surveys	FM

Agenda Item 15

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

Document is Restricted

