



Markets Board

Date: WEDNESDAY, 25 MAY 2022

Time: 11.30 am

Venue: COMMITTEE ROOMS 3 & 4 - 2ND FLOOR, WEST WING, GUILDHALL

Members:	Deputy Henry Pollard Deputy Mark Bostock Alderman & Sheriff Alison Gowman Gregory Lawrence Wendy Mead Deputy Brian Mooney Ian Seaton	James Tumbridge Deputy Philip Woodhouse Deputy Henry Colthurst Catherine McGuinness Alderman Sir David Wootton Deputy Edward Lord, Farringdon Without South Side Oliver Sells QC
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Enquiries: Julie.Mayer@cityoflondon.gov.uk

Accessing the virtual public meeting

Members of the public can observe this virtual public meeting at the below link:

<https://youtu.be/Fpzs1umudtq>

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

Public Items

1. **APOLOGIES**

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

3. **ORDER OF THE COURT**

To receive the order of the Court of Common Council dated 21 April 2022.

For Information
(Pages 7 - 8)

4. **ELECTION OF CHAIR**

To elect a Chair in accordance with Standing Order 29.

For Decision

5. **ELECTION OF DEPUTY CHAIR**

To elect a Deputy Chair in accordance with Standing Order 30.

For Decision

6. **PUBLIC MINUTES**

To approve the public minutes and non-public summary of the meeting held on 19th January 2022.

For Decision
(Pages 9 - 16)

Local Market Issues

7. **UPDATES FROM THE MARKET GENERAL MANAGERS (formerly known as Superintendents)**

Members are asked to note the attached briefing note in respect of Smithfield, New Spitalfields and Billingsgate Markets.

For Information
(Pages 17 - 20)

8. **SMITHFIELD MARKET - CAR PARK UTILISATION - APRIL 2021 - MARCH 2022**

Report of the Markets Director.

For Information
(Pages 21 - 24)

9. **MARKETS BUSINESS PLAN UPDATE PERIOD 3 2021/21 (DECEMBER-MARCH)**
Report of the Markets Director.
For Information
(Pages 25 - 42)
10. **WHOLESALE MARKETS RISK UPDATE**
Report of the Markets Director.
For Information
(Pages 43 - 60)
11. **REPORT OF ACTION TAKEN**
Report of the Town Clerk.
For Information
(Pages 61 - 64)
12. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
13. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
14. **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
- Non-Public Items**
15. **NON-PUBLIC MINUTES**
To approve the non-public minutes of the meeting held on 19th January 2022.
For Decision
(Pages 65 - 70)
16. **NON PUBLIC UPDATES FROM MARKET GENERAL MANAGERS**
Members are asked to note a non-public briefing on New Spitalfields Market.
For Information
(Pages 71 - 72)
17. **DEBT ARREARS - PERIOD ENDING 31ST MARCH 2022**
Report of the Chamberlain and the Markets Director.
For Information
(Pages 73 - 88)

18. **WRITE-OFF OF OUTSTANDING DEBT**

Report of the Markets Director.

For Information
(Pages 89 - 92)

19. **TENANCIES AT WILL AND ASSIGNMENTS**

Report of the Markets Director.

For Information
(Pages 93 - 96)

20. **REPORT OF ACTION TAKEN (NON- PUBLIC)**

Report of the Markets Director.

For Information
(Pages 97 - 100)

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

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

Confidential Items

23. **CONFIDENTIAL MINUTES**

To agree the confidential minutes of the meeting held on 19th January 2022.

For Decision

24. **MARKETS CO-LOCATION PROGRAMME (MCP) PROGRAMME UPDATE AND BUDGET REQUEST**

Report of the City Surveyor.

For Information

Agenda Item 3

KEAVENY, Mayor	RESOLVED: That the Court of Common Council holden in the Guildhall of the City of London on Thursday 21 st April 2022, doth hereby appoint the following Committee until the first meeting of the Court in April, 2023.
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MARKETS BOARD

1. **Constitution**

A Non-Ward Committee consisting of,

- 15 Members elected by the Court of Common Council at least one of whom shall have fewer than five years' service on the Court at the time of their appointment

Any Members who hold tenancies at any of the Markets are ineligible from serving.

2. **Quorum**

The quorum consists of any five Members.

3. **Membership 2022/23**

The Members referred to in paragraph 1, as well as 15 Members to be appointed this day on the basis of the following terms.

- 1 (1) Alderman and Sheriff Alison Gowman
- 1 (1) Alderman Sir David Wootton
- 1 (1) Gregory Alfred Lawrence
- 1 (1) Catherine McGuinness
- 1 (1) Wendy Mead, O.B.E. *(for three years)*
- 1 (1) Deputy Brian Desmond Mooney *(for three years)*
- 1 (1) Deputy Edward Lord *(for three years)*
- 1 (1) Deputy Henry Pollard *(for three years)*
- 1 (1) Ian Seaton *(for two years)*
- 1 (1) James Tumbridge *(for two years)*
- 1 (1) Deputy Philip Woodhouse *(for two years)*
- 1 (1) Deputy Henry Colthurst *(for two years)*
- 1 (1) Deputy Mark Bostock *(for one year)*
- 1 (1) Oliver Sells Q.C. *(for one year)*
Vacancy

4. **Terms of Reference**

To be responsible for:-

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

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MARKETS BOARD **Wednesday, 19 January 2022**

Minutes of the meeting of the Markets Board held at Committee Room 2 - 2nd Floor
West Wing, Guildhall on Wednesday, 19 January 2022 at 11.30 am

Present

Members:

John Chapman (Chairman)
Deputy Henry Pollard (Deputy Chairman)
Caroline Addy
Matthew Bell
Nicholas Bensted-Smith
Deputy Mark Bostock
Deputy David Bradshaw
John Edwards
Deputy Kevin Everett
Helen Fentimen
Alderman Prem Goyal
Deputy Tom Hoffman
Michael Hudson
Henry Jones
Gregory Lawrence
Wendy Mead
Deputy Brian Mooney
Deputy Barbara Newman
Deputy Elizabeth Rogula
Deputy John Scott
Ian Seaton
James Tumbridge
Dawn Wright

Officers:

Emma Moore	- Chief Operating Officer
Gemma Stokley	- Town Clerk's Department
Joseph Anstee	- Town Clerk's Department
Ben Milligan	- Media Officer
Aqib Husain	- Technology Support
Shani Annand-Baron	- Markets Director
Donald Perry	- Head of Business Performance
Daniel Ritchie	- Superintendent, Billingsgate Market
Shelley Ross-Harding	- Operations Manager, Smithfield Market,
Debbie Howard	- Superintendent, Spitalfields Market
Peter Young	- City Surveyor's Department
Steven Chandler	- Senior Principal Surveyor
Anna Dunne	- Programme Director
Simon Owen	- Chamberlain's Department

Andrew Fothergill

Julie Gibbs

Paul Wright

- Principal Property Lawyer
- PA to Director of Markets and Consumer Protection
- Deputy Remembrancer

Introductions

The Town Clerk opened the meeting by introducing herself.

The Town Clerk highlighted that the meeting was being recorded as well as live streamed and would be made available on the City Corporation's YouTube page for a period of time after the meeting had concluded. It was confirmed that all personal data would be processed in accordance with the Data Protection Act 2018. The Town Clerk highlighted that, for further information on this, viewers could contact the City Corporation using the details provided on the public webpages.

The Town Clerk also reminded Members, and any members of the public observing the meeting on-line, that this was an informal meeting and that any views reached by the Committee today would therefore have to be considered by the Chief Operating Officer or those deputising for her after the meeting in accordance with the Court of Common Council's COVID Approval Procedure and that they would make a formal decision having considered all relevant matters. The Town Clerk highlighted that this process reflected the current position in respect of the holding of formal Local Authority meetings and the Court of Common Council's decision of 16th December 2021 to recommence hybrid meetings and take formal decisions through a delegation to the Town Clerk and other officers nominated by him after the informal meeting has taken place and the will of the Committee was known in open session. Details of all decisions taken under the COVID Approval Procedure would be available online via the City Corporation's webpages.

A roll call of Members present was undertaken.

The Chairman then welcomed all in the room and online to the meeting. He went on to pay a special tribute to Debbie Howard, Superintendent of Spitalfields Market at this, her last meeting of the Markets Committee, before her retirement. The Chairman reported that Debbie had worked at the City Corporation for 16 years and praised her work and efforts throughout her time here.

1. APOLOGIES

Apologies were received from Peter Bennett and Alderman and Sheriff Alison Gowman.

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

The Chairman declared a personal interest in relation to Agenda Item 16 and stated that he intended to leave the room whilst this matter was discussed.

A Member questioned why Item 16 could not be considered in public session and would not be in the public interest. The Town Clerk highlighted that the relevant reason for exemption was highlighted at the top of that report

3A) **Public Minutes**

RESOLVED - That - the public minutes of the meeting held on 3 November 2021 be approved as a correct record, subject to recording apologies submitted from John Scott, Philip Woodhouse and Michael Hudson.

MATTERS ARISING

Members noted that, because this meeting had been convened as a hybrid, in accordance with the Court of Common Council's Covid Approvals Procedure, then it would need to proceed on this basis, even if a quorum of Members were present in the room.

3B) **Outstanding Actions Log**

Members received the outstanding actions log and noted that they would receive an update on the New Spitalfields Market barrier in the non-public part of this meeting.

RESOLVED – That the Outstanding Actions Log be noted.

4. **SUPERINTENDENT UPDATES (ORAL UPDATES)**

The Committee received the Superintendents updates and noted the following :

Billingsgate

The London Fish Merchants Tenants Association had recently elected a new Chairman and Council. The Superintendent had met with the new Chairman in respect of the action plan, and tenants remained supportive of moving to a co-located site. A programme of meetings had been set up to retain engagement.

The Metropolitan Police had not been able to provide support in the run up to the Christmas period. However, the Billingsgate Constabulary had worked with partners in respect of traffic management, with exceptional results; i.e. - no complaints from tenants or customers and a 50% increase in pay and display revenue on last year.

Standard operating procedures were being updated in respect of the most recent Government advice on Covid and risk assessments were being monitored. The Market had hosted many testing sessions on behalf Tower Hamlets, including a pop-up clinic from 3 am, making the facility fully accessible to market staff. More clinics would be held in the coming weeks.

Spitalfields

The Christmas period had not been as busy as the tenants would have liked but trade had been brisk in the week before the Christmas closedown. Vehicle numbers for paying customers in November and December were 7% up on the same period in 2020, but data was not available in respect of any additional

volumes purchased. HGV entry figures for November and December were down 23% on the same period last year, suggesting that either less produce was entering the site, or that tenants had been consolidating deliveries from the EU to save costs.

The Market had been assisting an ancillary tenant, who sells fuel on the market, by engaging a company to supply biofuel for forklifts, thereby improving air quality in the market hall.

Risk assessments in respect of Covid were being worked on and a standard operating procedure had been sent to all tenants. Tenants had been provided with masks within the first few days of the new restrictions, thereby ensuring that customers were wearing them in the Market Hall and adhering to Government and City of London Corporation regulations.

A tenant had been found for the large premises vacated in May 2021, and Members would receive an update in the non-public report at item 16 on this agenda. Further negotiations were ongoing with a perspective tenant for the vacant premises at 6 Allen House.

The Energy Team would be meeting with the Tenants' Association on 27th January 2022.

Smithfield

Trade over Christmas had been quieter than expected, with a peak just before the Christmas closure but, as a result of the Omicron variant, footfall was down in comparison to 2020. Car parking concessions had been in place between 10th and 24th December, and there had been a decrease of 7.2% in parking compared to 2020. Peak parking had been recorded on 16th and 17th December and then between 19th and 21st, with an excess of 1400 cars daily during the concession period. As with Spitalfields, no data was available on volumes. Overall, there had been an increase in car park usage of 15% compared to last year.

There had been no significant changes to trade in the market as a result of Brexit, but risk meetings were ongoing.

All 3 markets had amalgamated standard operating procedures in respect of Covid. There had been an impact on security over Christmas, due to high numbers of staff testing positive, but this had been covered by additional resources from the City Corporation's security contract. When supply was short, the Public Health Team at the City and Hackney had provided free face coverings and lateral flow tests to staff.

The Energy Team had intended to visit in November 2021, but this was postponed until the New Year. The Tenants' Association is happy to engage in terms of good practice.

Works had started on Monday this week (17th January 2022) to address the failure of the glass canopy, with completion expected by 25th March 2022. This was showing as 'green' on the Risk Register as there is a security netting

underneath it, with a 4-year longevity. A hoarding would be in place during the works, and at no point would the glass be exposed. City Surveyors had checked the structure and were satisfied in respect of the safety aspects.

Works to water storage tanks, air compressor dryers and the water condenser would commence in Quarter 4.

The LED lighting replacement works were due to start at the end of January/early February 2022, to replace the lighting in Grand Avenue.

Cash from capital works would be used in Phase 1 of the Car Park programme, and officers would be working with the Energy Team to secure additional funding for Phase 2, in order to replace bulbs and fittings in the car park and communal areas, thereby making savings on energy costs.

RESOLVED - That the report be noted.

5. DRAFT HIGH-LEVEL BUSINESS PLAN 2022/23

The Committee received a report of the Markets Director regarding the Draft High Level Business Plan 2022/23.

In response to a question, officers agreed that any works should be shown as a risk until they had received full approval. It was suggested that the Health and Safety matters be highlighted as part of the approvals process.

Members suggested that, in terms of energy consumption on the Major Work Streams, the objective should be re-worded to reflect the fact that the desired outcome was *'to achieve good value for tenants as well as reducing carbon footprints'*.

Members also suggested that the central section on the Major Work Steam template be amended to show which areas the Committee should focus on.

RESOLVED – That the Committee:

- Note the factors taken into consideration in compiling the Markets Business Plan; and
- Approve, subject to the incorporation of any changes sought by this Committee, the departmental Business Plan for Markets Department for 2022/23 (or the elements therein that fall within this committee's Terms of Reference)

6. MARKETS BUSINESS PLAN UPDATE PERIOD 2 2021/22 (AUGUST-NOVEMBER)

The Committee noted a report of the Markets Director regarding the Markets Business Plan Update Period 2 2021/22 (August-November).

Once the Energy Team from City Surveyors had concluded their meetings with high energy users at the market, the Chairman asked if their findings could be presented to a future meeting of the Committee.

The Condition Survey for the roof at New Spitalfields had been conducted using a drone, which had highlighted some water ingress. An intrusive survey would now be undertaken with any repairs covered by the 10-year plan.

Officers were compiling statistics which demonstrated the Market's good work in reducing waste to landfill, and this would be passed to the Comms Team.

Although Smithfield Occupancy is at 100%, there would be lettable space once the Poultry Market roof is completed.

RESOLVED - That the report be noted.

7. **WHOLESALE MARKETS RISK UPDATE REPORT**

The Committee received a report of the Markets Director concerning the Wholesale Markets Risk Update Report. The report had been scaled down as requested, showing just amber and red risks.

RESOLVED – That the report be noted.

8. **WHOLESALE MARKETS FOOD HYGIENE RISK**

The Committee received a report of the Markets Director concerning the Wholesale Markets Food Hygiene Risk.

In response to a question about the target risk rating, Members noted that this was the best outcome that could be achieved, given the current infrastructure, and until a purpose-built facility became available.

RESOLVED – That the report be noted.

9. **REPORT OF ACTION TAKEN BETWEEN MEETINGS - CITY'S CASH - POULTRY MARKET - AREAS TO BE DECLARED SURPLUS TO REQUIREMENTS AND AREAS TO BE LICENSED**

The Committee noted a report of the Town Clerk concerning a Report of Action Taken Between Meetings – City's Cash – Poultry Market – Areas to be Declared Surplus to Requirements and Areas to be Licensed.

As the Markets Committee was not scheduled to meet again until 19th January 2022, the Town Clerk, in consultation with the Chair and the Deputy Chair of the Markets Committee, had approved the above decision under Urgency. This had enabled the areas to be used by the Museum of London, in connection with their proposed use of the General Market, and the City of London Corporation's conversion of the Annexe into a commercial building.

RESOLVED – That the report be noted.

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.

The Chairman recognised this at the last meeting of the Committee before the elections and therefore wished all Members well.

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 as follows:-

Item	Paragraph
13-14	3
15	3, 5 & 7
16-19	3

13. **NON-PUBLIC MINUTES**

RESOLVED - The non-public minutes of the meeting held on 3 November 2021 were considered and approved as a correct record.

14. **SUPERINTENDENT UPDATES (ORAL UPDATES)**

The Committee heard an update of the Superintendents.

15. **DEBT ARREARS - MARKETS - PERIOD ENDING 30 NOVEMBER 2021**

The Committee received a report of the Markets Director.

16. **TENANCIES AT WILL AND ASSIGNMENTS**

The Committee received a report of the Markets Director.

17. **REPORT OF ACTION TAKEN BETWEEN MEETINGS - NEW SPITALFIELDS MARKET - LETTING OF 1&2 BALCH HOUSE**

The Committee received a report of the Town Clerk.

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

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

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

There were no urgent items.

20. **CONFIDENTIAL MINUTES**

The confidential minutes of the meeting held on 3 November 2021 were considered and approved as a correct record.

21. **MARKETS DEPARTMENT TARGET OPERATING MODEL**

The Committee considered and approved a report of the Chief Operating Officer.

22. **MARKETS CO-LOCATION PROGRAMME UPDATE - ORAL UPDATE**

Officers provided an update to the Committee on the Markets Co-location Programme.

The meeting ended at 1.47 pm

Chairman

Contact Officer: Gemma Stokley
gemma.stokley@cityoflondon.gov.uk

Committee(s):	Date(s):
Markets Board For information	25 May 2022
Subject: General Manager (GM) Updates	Public
Briefing Note	
<p>Smithfield</p> <ol style="list-style-type: none"> 1. Following the Target Operating Model (TOM) sign-off a number of roles across the Markets are now being recruited to. With my specific responsibility for Maintenance and Facilities Management across the sites, the roles being recruited to are: Billingsgate – Maintenance Manager and 2No general maintenance operatives. New Spitalfields – electrician and one general maintenance operative. Smithfield – 2No electricians. 2. Additional roles required at Smithfield across the remaining two lead categories of Security and Finance/Administration are two administration officers, an administration apprentice, a security manager and a constable. It is anticipated that all roles will be advertised in the coming weeks to bring the Markets up to full complement and to deliver services to the required standards. 3. Following recent ratification of the Poultry Market vacation by August 2023, work has now started to re-locate CoL facilities out of the Market to alternative locations on site. In particular, the Animal Bi-products facility, a range of offices, welfare facilities, stores and workshops will all have to move. The project will be challenging as Smithfield is space restricted and so proper due diligence and assessment of the Markets needs will be paramount to ensure the operation is not affected and meets the 'Grampian' conditions set by the planning department in the early stages of the consents granted so far. The Market is also likely to have to move to a daily waste collection operation as the current facility in the north covered way will be lost to the Museum. This will be extremely challenging due to the volume and types of waste generated. Regular consultation will also need to take place with the SMTA and the Food Standards Agency as the vacation and re-provision project gathers pace. There will be fortnightly project meeting with myself, local team and Museum project officers to manage the Market needs and redevelopment of the site as works progress. <p>Smithfield Market: General Manager – Mark Sherlock T: 020 7332 3747 E: mark.sherlock@cityoflondon.gov.uk</p>	

Billingsgate Market

4. The Government proposes to introduce new Protect Duty legislation. As part of our preparations for this, working closely with Guildhall security, the Market Security Managers and I have attended seminars regarding the introduction of this legislation and ensuring that we are compliant with it.
5. The Billingsgate Action Plan continues to progress and the installation of the new CCTV system has received authority to start work with the winning supplier attending site to prepare for installation. The system will be up and running by the end of the summer. Tenants have engaged with us on various designs for a new fish handling unit but a preferred facility is yet to be determined.
6. Billingsgate has facilitated an outbound logistics trial in conjunction with Ford and DHL. This was also on the Billingsgate Action Plan, originally earmarked for 2023. Tenants have benefitted from this free trial and have provided smaller deliveries for their customers across London which DHL have then delivered on their behalf. Tenant feedback has been positive but further work is being considered to make the service commercially sustainable.
7. I have attended the NABMA wholesale forum to share experiences and ideas with other wholesale market managers and operators.

Billingsgate Market:

General Manager – Daniel Ritchie

T: 020 7332 3067

E: daniel.ritchie@cityoflondon.gov.uk

New Spitalfields

8. Wholesale Markets Forum Meeting

New Spitalfields Market hosted the Wholesale Forum Meeting on Friday 29th April. The meeting was attended by Wholesale Market professionals from around the country, and representatives from NABMA and the Fresh Produce Consortium. Marking the first face to face meeting in almost 3 years, the visit began with a site tour observing market operations, chatting to tenants and, a briefing from our cleansing and waste management contractor – Countrystyle. The day featured trade updates from Nigel Jenny, Chief Executive, Fresh Produce Consortium and NABMA and WUMM updates from David Preston, Chief Executive, NABMA. We completed the day with a round table discussion about the current successes and challenges affecting each of the Wholesale Markets. We received excellent feedback and it is understood that the day was beneficial to all involved, with a keen interest in the Markets Co-location Programme. Further forum meetings are to be scheduled at other members markets in the near future.

9. Ashford Port Health Site Tour

On Wednesday 20th April a group of Birmingham University students and Employees from the Border Force team at Ashford Port Health, attended site at 00:30hrs for a tour aimed at meeting the educational requirements of the students. The visit began with a site induction, refreshments and Q&A session followed by a 90-minute tour of the stands and waste compound. The students were able to locate specific produce and held many detailed discussions with traders about the origins and availability of produce. The tour was enjoyed by all attended and the team were praised for hosting such a valuable visit.

10. Air Quality

Working in partnership with one of our ancillary tenants who provides on-site fuel to traders and customers, we held a number of meetings with the Air Quality team and representatives from Crown Fuels to look at the options for providing biofuel for use in forklift trucks and other mechanical equipment with an aim to improving the Air Quality within the Market Pavilion.

There was a change in Government legislation that prohibited the use of Red Diesel on 1st April 2022, which gave us as an opportunity to introduce a new site rule. From 1st June 2022 tenants are permitted to use biofuel only when operating within the Market Pavilion. At present there are air quality monitoring units throughout the site with samples being sent for monthly evaluation. The goal of this new site initiative is that we shall see a marked improvement in the air quality results by the end of 2022.

New Spitalfields Market:

Acting General Manager – Emma Beard

T: 020 8518 7670

E: emma.beard@cityoflondon.gov.uk

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Board:	Date:
Markets	25 th May 2022
Subject: Smithfield Market – Car Park Utilisation April 2021 – March 2022	Public
Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?	Not applicable
Does this proposal require extra revenue and/or capital spending?	No
If so, how much?	Not applicable
What is the source of Funding?	Not applicable
Has this Funding Source been agreed with the Chamberlain’s Department?	Not applicable.
Report of: Markets Director	For Information
Report author: Mark Sherlock - General Manager.	

Summary

This report updates Members about the utilisation of Smithfield Market Car Park for the 12-month period April 2021 to March 2022.

Recommendation(s)

Members are invited to note the contents of this report.

Main Report

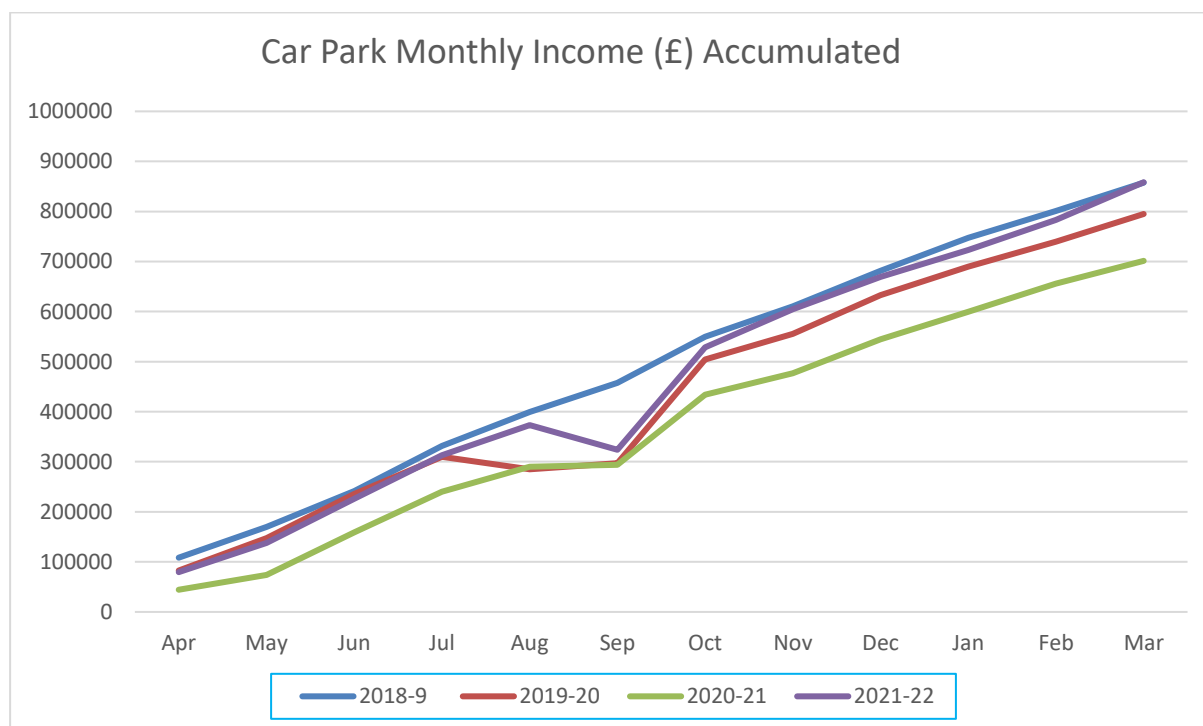
Background

1. Two years on from the first major lock down in 2020, Covid-19 restrictions are now completely lifted, but have left a lasting impact on the way the population now work and travel. Traffic movement into the City is increasing, but with the added pressure of wider zones for ULEZ and the congestion charge, the number of vehicles coming in to the City has reduced, and this has had a impact on the annual income the car park generates compared to prior years pre-Covid.

2. A Cyclical Works Programme (CWP) project to replace the current lighting with sensor LEDs has begun, with a phased approach, estimating an annual saving of £16,241 in energy costs with an associated reduction in carbon footprint.

Current Situation

3. Income for the 12-month period April 2021 to March 2022 was £856,880 an increase of 22% (£157,029) compared to 2020 – 2021.



4. A Christmas parking concession was agreed by Members for 12 nights between 12th December and 24th December 2021. During this period, car park peak usage reached 285 parked vehicles at 5am on Thursday 23rd December. This was 54% of available capacity and down on the 371 peak uptake in 2020.
5. Since the introduction of Just Park (a third-party booking platform) in March 2020, there have been 33,982 parking sessions booked via the Just Park portal, generating income of £31,869 to the City between March 2020 and March 2022.
6. A new car park tariff was approved and implemented in January 2022. There were no increases to Market customer or trader tariffs but an increase to the daily hourly tariff from £4.00 to £4.20. There was also an increase of £220

per annum to the commercial season ticket rate, from £1,980 in January 2021 to £2,200 in January 2022

Conclusion

7. During the 12-month period April 2021 to March 2022, the car park operated 9% ahead of budget. Income amounted to £856,880, £72,880 ahead of the final budget of £784,000 in comparison to 13% behind budget for 20/21, therefore income generated is recovering to a more positive position compared to the last 2 years of Covid restrictions and impacts.

Mark Sherlock

General Manager, Smithfield Market, Office of the Chief Operating Officer

T: 020 7332 3747

E: Mark.Sherlock@Cityoflondon.gov.uk

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Committee(s)	Dated:
Markets Board	25.05.22
Subject: Markets Business Plan Update Period 3 2021/21 (December-March)	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	4, 7
Does this proposal require extra revenue and/or capital spending?	N/A
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain's Department?	N/A
Report of: Ben Milligan, Director of Markets	For Information
Report author: Don Perry, Markets Department	

Summary

This report provides an update on progress made during Period 3 (December-March) of 2021/22 against the key performance indicators (KPIs) and key improvement objectives outlined in the Markets' Business Plan 2021/22.

Recommendation(s)

Members are asked to:

- Note the content of this report and its appendices.

Main Report

Background

1. The 2021/22 Markets Business Plan set out four Key Performance Indicators (KPIs) and ten Key Improvement Objectives against which the Markets' performance has been measured throughout the year.
2. Updates on progress made against the KPIs and improvement objectives are provided in Appendix A.
3. Matters of general interest, including a list of visitors to the Markets are provided in Appendix B.
4. The provisional 2021/22 outturn position for the Markets Department reporting to Markets Board is provided at Appendix C. The final confirmed outturn position will

be detailed in the separate Outturn report which will be presented to your Board in July 2022.

Current Position

5. To ensure your Board is kept informed of progress against the current business plan, progress made against KPIs and key improvement objectives (Appendix A), matters of general interest (Appendix B), and financial information is reported on a periodic (four-monthly) basis.
6. 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.
7. Progress against the departmental and local business plans is regularly discussed by Senior Management Groups to ensure any issues are resolved at an early stage.
8. Key points are that:
 - Progress continues to be made with the advisors for Billingsgate on the lease renewal, heads of terms for the relocation agreements and implementation of the action plan. Engagement continues with the New Spitalfields Market Tenants' Association (SpMTA) to progress the outstanding rent review with further meetings scheduled with their advisors to progress the heads of terms. Constructive discussions have commenced with the Smithfield Market Tenants' Association (SMTA) on design and operational matters for the potential new market.
 - The full implementation of Brexit Checks, planned to be introduced this July, have been further delayed until end of 2023.
 - The intrusive survey on New Spitalfields Market Pavilion roof will be carried out in May and this will pinpoint the exact repairs / replacements required including the overall project cost.
 - Smithfield carpark income for the full year was £857k which was a 22% increase on the previous year and 9% above budget.
 - An outbound logistical project is being trialled at Billingsgate's Market which is piloting a few tenants to consolidate their sales into one vehicle to reduce the number of vehicles.

Financial Information

9. The provisional 2021/22 outturn position for the Markets Department reporting to Markets Board is provided at Appendix C.
10. The final confirmed outturn position, including reasons for significant budget variations, will be detailed in the separate Outturn report which will be presented jointly with the Chamberlain to your Board in July 2022.

Corporate & Strategic Implications

Strategic implications – The monitoring of key improvement objectives and performance measures links to the achievement of the aims and outcomes set out in the Corporate Plan 2018-23.

Financial implications - The full end of year financial position will be detailed in the Chamberlain's Outturn report which will be presented to your Board in July 2022.

Resource implications - None

Legal implications - None

Risk implications – The Markets Risk Register includes any risks which are linked to the delivery of its Business Plan. A separate report on risk has been submitted to this Committee.

Equalities implications – None

Climate implications - None

Security implications - None

Appendices

- Appendix A – Progress against key performance indicators (KPIs) and key improvement objectives
- Appendix B - Matters of general interest.
- Appendix C – Financial information

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Progress against Key Performance Indicators 2021-22
Period third: 1 December – 31st March 2022

	Target 2021/22		Period 1	Period 2	Period 3
MKP 1	Each Market's outstanding debt as a percentage of their total invoiced income. Maximum 2% KPI target.	Billingsgate	7.09%	5.73%	6.12%
		Smithfield	21.87%	17.89%	16.82% ¹
		Spitalfields	4.85%	4.56%	2.83%
Comments: The reported percentages of outstanding debt exclude debts which were less than 30 days old on 31 March 2022. The high level of outstanding debt across all three markets largely relates to the impact of COVID-19 on tenants (but the level of debt has reduced across two of the Markets since the last report in January): <u>government-imposed constraint on the recovery of outstanding monies ended on 25th March 2022.</u> ¹ Smithfield Market, 'debt-chasing' is being pursued and aged debt is slowly declining. Several traders have settled their aged debt in full and others (as all restrictions are eased) are started to repay.					
	Target 2021/22		Period 1	Period 2	Period 3
MKP 2	Divert 90% of waste from landfill at the Markets	Billingsgate	100%	100%	100%
		Smithfield	100%	100%	100%
		Spitalfields	100%	100%	100%

	Target 2021/22		Period 1	Period 2	Period 3
MKP 3	Achieve 95% occupancy of all lettable space at Billingsgate, Smithfield and New Spitalfields Markets.	Billingsgate	99.4%	99.4%	99.4%
		Smithfield	100%	100%	100%

Appendix A

		Spitalfields	99%	99%	98.95%
Comments: * Smithfield reporting against lettable space only; previous reporting has included non-lettable space within the Poultry Market.					
	Target 2021/22		Period 1	Period 2	Period 3
MKP 4	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%	100%
		Smithfield	100%	100%	100%
		Spitalfields	100%	100%	100%

Progress against key improvement objectives 2021-2022

Period Third: 1 December – 31st March 2022

Ref:	Objective	Progress to date
MKT01	Collaborate with the Markets Colocation Project Team to ensure that the requirements of Markets' stakeholders are considered as the programme progresses.	Period 1: April – July 2021 <ul style="list-style-type: none"> • Billingsgate Market: Various meetings have been facilitated with tenants, Officers and Members. Regular meetings are held with the relocation team. • Smithfield Market: Local evidence gathering continues to support the private Bill submission. The new transport planning consultant spent a night at Smithfield in July, the next MCP update meeting is with the Superintendents on the 31st August. • New Spitalfields Market: The Chair of Policy and Resource Committee spoke to tenants on 2nd August. Design Meeting was held on 11th August.
		Period 2: August – November 2021 <ul style="list-style-type: none"> • Billingsgate Market: MCP facilitate regular meetings with tenants, Remembrancer, and other relevant parties. The Superintendent had a visit to the proposed site at Dagenham Dock and reported back to tenants. Progress continues with the Billingsgate Action Plan (BAP) whilst letter in support of direction is awaited from properly constituted LFMA. • Smithfield Market: Discussions are on-going. • New Spitalfields Market: Facilitated a visit from MACE on 11 August 2021 which was organised by City Surveyors to address the condition survey that impacts on the MCP project. Facilitated a visit by Turner and Townsend Ltd for site visit on behalf of the MCP team - 7 October 2021. MCP team and Director visit to update staff on the co-location project, 14 December 2021.
		Period 3: December – March 2022 <ul style="list-style-type: none"> • Progress continues to be made with the advisors for Billingsgate on the lease renewal, heads of terms for the relocation agreements and implementation of the action plan. Engagement continues with SpMTA to progress the outstanding rent review with further meetings scheduled with their advisors to progress the heads of terms. Constructive discussions have commenced with SMTA on design and operational matters for the potential new market. • Billingsgate: An outbound logistical trial is currently being facilitated in partnership with commercial stakeholders - this involves a small number of tenants consolidating their sales and deliveries made across London from one vehicle rather than many, as previously was the case. Design workshops are being held with tenants.

Ref:	Objective	Progress to date
		<ul style="list-style-type: none"> • Smithfield. Consultation with the SMTA has begun with the Markets Director, General Manager, and design consultants. The next meeting is planned for 4th May where more detailed designs and trader requirements will be further developed. • New Spitalfields: There were 3 design workshops held during January and February 2022 with the SpMTA and they agreed in principle to a single storey design. The General Manager, Director and MCP Officer meet with the SpMTA to discuss colocation details and Heads of Terms. The most recent meeting was 21st April 2022.
MKT02	Implement actions arising from the condition surveys that are to be carried out at each of the markets.	Period 1: April – July 2021 <ul style="list-style-type: none"> • Billingsgate Market: Working through the findings from the survey reports with City Surveyors with the main priority being to facilitate works to ensure a safe, compliant trading environment for tenants. • Smithfield Market: The survey reports have been received from City Surveyors and further site visits have taken place with MACE who are advising on the practical solutions to the initial recommendations made by EDGE on their survey reports. Meetings have taken place with City Surveyors to agree works and funding priorities and they are now drafting initial Project Initiation Documents for review and submission for funding approvals. • New Spitalfields Market: Working with City Surveyors to identify essential works to be carried out or mitigation to reduce works from the survey reports.
		Period 2: August – November 2021 <ul style="list-style-type: none"> • Billingsgate Market: Works identified to keep Billingsgate operating in a safe and compliant environment. Will work with LFMA to ensure that an agreed risk-based approach is adopted for the remainder of time at the site. • Smithfield Market: Three Capital bid projects have been agreed in principle but are subject to approval at Finance Committee on 16th December. 1. Glass canopy. 2. Fire Doors. 3. East Poultry Canopy Repairs. • New Spitalfields Market: Essential works have been identified and a new 10-year plan in liaison with the FM team has been prepared. The roof works identified by Edge are a major concern and could require the highest spend. It has been agreed that an Intrusive survey of the roof will be commissioned April 2022 to establish the full extent of the works required. We will work to ensure best value is achieved in delivering the repairs which will be funded from the Service Charge.
		Period 3: December – March 2022

Ref:	Objective	Progress to date
Page 34 KT03		<ul style="list-style-type: none"> • Billingsgate: Priority maintenance issues identified included replacement of sprinkler system. No further works identified prior to yearend 21/22 but working with City Surveyor to address other recommendations in Edge report. • Smithfield: Projects currently in progress - smoke curtain replacement, fire alarm full survey (remedials to follow), replacement and upgrading of lighting and selective cable and distribution boards in the car park, replacement of cold-water tanks in the east and west markets, and a survey of the condenser water pipework (started w/c 9th May). Additional works to the glass canopy on the south and east elevations have been completed with remaining works to the north elevation subject to a further business case. Recommendations from the Edge report are now progressing through the CWP and capital bid submissions. 3 PIDs have been successfully presented to Chamberlain and these are now starting the gateway process – East Poultry Ave structural remedials/reinstallation of the canopy, remedial works to the remaining north elevation glass canopy, ceiling covering and selective water ingress remedials in the car park. Funding of £1.9m allocated. • New Spitalfields: The intrusive survey for the Market Pavilion roof listed on the 10-year work plan will take place in May. This should identify repairs/replacements required and indicate accurate costs. There are no other works identified in the Edge report to be carried out by the financial year end.
	Implement alternative, more efficient methods of delivery across all the services we provide to make the required savings, by reducing expenditure and increasing income.	Period 1: April – July 2021 <ul style="list-style-type: none"> • To be considered under Target Operating Model but work is underway with City Surveyors to fully utilise, where possible, the Market Buildings.
		Period 2: August – November 2021 <ul style="list-style-type: none"> • Billingsgate Market: Owing to the sharp decline in Billingsgate car parking usage since March 2020, alternative uses are being considered. • Smithfield: Carpark usage has recovered from previous year. April – December 2021 £600k. April - December 2020 £477k • Campaign to promote carpark to local businesses and local residences in progress. Carpark charges to increase in January 2022.

Ref:	Objective	Progress to date
		<p>Period 3: December – March 2022</p> <ul style="list-style-type: none"> • Billingsgate: Significant levels of filming and related parking has seen income increase against post and pre pandemic budgets. Income more than doubled original 21/22 budget. • Smithfield – car park income for the full year was £857k which was a 22% increase on the previous year and 9% above budget.
MKT04	Implement actions arising from the new Target Operating Model and provide open and early communication to all employees.	<p>Period 1: April – July 2021</p> <ul style="list-style-type: none"> • Billingsgate Market: Staff informed regularly and encourage to put forward ideas. A staff drop-in session with new Director and Superintendent was held 27th July. • Smithfields Market: Local staff consultation initiated, and workshops planned. Key staff timeline document created 17th July. • New Spitalfields Market: Staff have been kept informed through written communication (17th March 20th April 27th May & 8th July). Staff drop-in session with new Director and Superintendent held 2nd August. <p>Period 2: August – November 2021</p> <ul style="list-style-type: none"> • Billingsgate Market: Regular staff briefings by e-mail from Superintendent on latest position regarding TOM. Standing item in 1:1 and team meetings. Market Director met with middle managers on site individually. • Smithfields Market: Director has met with all staff, and managers. • New Spitalfields Market: Staff survey was sent to staff (9th November 2021) asking them for suggestions on how things could be done differently. Email sent to all managers asking them to encourage staff to view the COO conference recording. Director and Superintendent met with staff 17 November 2021 and the Director has meetings planned with individual managers to discuss the TOM on 3 December 2021. <p>Period 3: December – March 2022</p> <ul style="list-style-type: none"> • New TOM structure went live on the 4th April 2022. We now enter the transition phase where staff are confirmed in post, or recruited. • Billingsgate: Consultation meetings held with staff throughout December and January prior to formal consultation launched in February. • Smithfield – all consultation meetings were completed in February and March 2022 with the new Market operating structure to be implemented from April 2022 onwards. • New Spitalfields Market: Individual meetings held during December 2021 by the Director of Markets. Email to all staff regarding approval of the TOM in January 2022. Meetings held with staff at risk in February and March 2022.

Ref:	Objective	Progress to date
MKT05	Support tenants' businesses through the continuing challenges presented by the COVID-19 pandemic.	<p>Period 1: April – July 2021</p> <ul style="list-style-type: none"> • Billingsgate Market: The Market has been kept safe and clean, and trade is slowly return to 'pre-pandemic' levels. Payment plans have been agreed with some tenants to support them in clearing their debt. • Smithfield Market: Market trade has returned to approximately 80% of 'pre-pandemic' levels, albeit there is still a marked decline in retail trade. • New Spitalfields Market: Tenants have access to Lateral Flow Test kits and following the easing of restrictions new signage recommending face coverings and maintaining social distance in enclosed areas at busy times is being displayed. Payment plans have been agreed with some tenants to support them in clearing their debts
		<p>Period 2: August – November 2021</p> <ul style="list-style-type: none"> • Billingsgate Market: Standard Operation Procedure developed with support from City and Hackney public health that has been shared with tenants. Worked with Tower Hamlets public health to arrange regular overnight pop-up vaccination clinics for tenants and their staff. • Smithfield Market: Provisional plans put in place in case Government advice changes last minute. Staff continue to do Lateral Flow Tests (LFT) and as a secondary measure the Operations Manager has been carrying out staff LFTs on a monthly basis. This data is communicated to NHS. Standard Operation Procedure in place. • New Spitalfields Market: Letter and email sent to tenants and SpMTA regarding wearing face covering in the market hall and to remind tenants to review their covid risk assessment. Leaflets and masks were distributed to visitors, customers, and tenants at the market on 30 November 2021.
		<p>Period 3: December – March 2022</p> <ul style="list-style-type: none"> • Billingsgate: Pop up clinics and testing centres facilitated on behalf of Tower Hamlets in December and January. Controls and appropriate signage in place and revised in accordance with Government advice. Covid Risk Assessment continues to be reviewed regularly and updated as necessary. • Smithfield – all remaining Covid restrictions and controls were lifted on the 24th February in line with Government guidance. The wearing of face masks in the public areas of the Market is still recommended and signed accordingly at the Market entrances. • New Spitalfields Market: Standard Operating Procedure sent to all tenants December 2021. Covid Risk Assessments updated April 2022.

Ref:	Objective	Progress to date
MK06	Work with our tenants to help mitigate the impact of Brexit challenges.	Period 1: April – July 2021 <ul style="list-style-type: none"> • Billingsgate Market: The Superintendent has met with officers from Port Health to understand if there is a way that City Corporation can provide export certification. To-date few tenants have raised concerns regarding Brexit. • Smithfield Market: A set of Risk Actions in consultation with the SMTA was developed to mitigate perceived outcomes of changing import paperwork and tariffs. This Risks will be reviewed pending the October 2021 documentary checks and January 2022 deadline, and these will be kept under review. • New Spitalfields Market: Brexit to-date has had minimal impact; some tenants are experiencing 2-3-day delays in deliveries, and this might worsen when regulations come into force so the situation will be monitored.
		Period 2: August – November 2021 <ul style="list-style-type: none"> • Billingsgate Market: With deadlines being pushed back, the immediate threat has dissolved but Brexit remains a concern to tenants so in regular liaison with MMO. • Smithfield Market: As deadline been put back, no changes noticed. • New Spitalfields Market: Minimal impact to date.
		Period 3: December – March 2022 <ul style="list-style-type: none"> • All: On the 28th of April Government announced that the further import controls on EU goods which were due to be phased in from July, will not be introduced in 2022. The controls that have already been introduced will remain in place. The Government will publish a Target Operating Model in the Autumn that will set out the new regime of border import controls and will target the end of 2023 as the revised introduction date.
MKT07	Procure and deliver a new waste contract at New Spitalfields Market.	Period 1: April – July 2020 <ul style="list-style-type: none"> • The contract with Countrystyle Recycling Ltd expires in September 2022. An extension has been agreed by the Procurement Board to extend the contract for two years until September 2024 and a Deed of Variation is in progress by Comptroller and City Solicitor. There will be savings of £420,000 over three years to the tenant's service charge.
		Period 2: August – November 2021 <ul style="list-style-type: none"> • Working with Comptrollers on the legal changes to the contract due to the waste contract extension.

Appendix A

Ref:	Objective	Progress to date
		Period 3: December – March 2022 <ul style="list-style-type: none"> The extension to the current contract has been negotiated and agreed and both parties will have signed off by 27 April 2022.
MKT08	Expand the HGV unloading area at New Spitalfields Market.	Period 1: April – July 2020 <ul style="list-style-type: none"> This activity has been completed.
		Period 2: August – November 2021 <ul style="list-style-type: none"> This activity has been completed.
		Period 3: December – March 2022 <ul style="list-style-type: none"> This activity has been completed.
MKT09	Undertake the actions identified in the Department's Equality, Diversity and Inclusion Action Plan.	Period 1: April – July 2020 <ul style="list-style-type: none"> The Department's Equality Improvement Plan has been updated and the main area for improvement is to consider equalities in the procurement process. Work on advancing trans-equality is being undertaken corporately and the Markets will input into the process where it can.
		Period 2: August – November 2021 <ul style="list-style-type: none"> Guidance on Transgender Equality has been written up. An equality representative network meeting took place (7th December) and the Equality and Inclusion Manager outlined the vision of her new Team and the roles of the equality reps, with a focus on providing more training for reps.
		Period 3: December – March 2022 <ul style="list-style-type: none"> The Dept has 6 Equalities, Diversity & Inclusion objectives outlined in the high-level plan, and these will be monitored and reported on going forward. Work is underway with Waltham Forest to be able to advertise Market vacancies, (especially at New Spitalfields Market) on their website. This will widen the recruitment pool and encourage applications from people living in and around the Markets.
MKT10	Implement measures to support the Climate Action Strategy. Work with the City Surveyor's Energy Team and our tenants to reduce the Markets' carbon footprint	Period 1: April – July 2020 <ul style="list-style-type: none"> Energy workshops for tenants at each of our markets have been scheduled for week commencing 1 November 2021. These are planned to cover best practice, focusing on low cost / no cost measures to reduce utility usage, managing energy performance and energy purchasing.

Appendix A

Ref:	Objective	Progress to date
		<p>Period 2: August – November 2021</p> <ul style="list-style-type: none">• Billingsgate: Visit planned for 2022.• Smithfield: Visit planned for 2022.• New Spitalfields Market: The Energy Team with Mitie visited three tenants that were big energy users and illustrated ways of reducing their carbon footprint• The Energy Team also meet with SpMTA and have arranged another meeting in the New Year. <p>Period 3: December – March 2022</p> <ul style="list-style-type: none">• Billingsgate: Energy workshop remains on offer to tenants but a date yet to be arranged.• Smithfield. Workshops to be planned for 2022, dates to be confirmed once the SMTA has confirmed their topics requirements.• New Spitalfields Market: Energy Team visited the market and met with the SpMTA to discuss site energy procurement.

Matters of General Interest December 2021-March 2022**Billingsgate Market**

	Visitors/Filming/Photography	Fee Received
December	None	
January	7 th -9 th Buried Treasure – Unit Base Parking	£11,000+VAT
February	3-4 Butterfly Productions – Unit Base Parking 5-6 Lively Productions – Unit Base Parking	£7,800+VAT £9,400+VAT
March	None	

Smithfield Market

	Visitors/Filming/Photography	Fee Received
December	None	
January	None	
February	None	
March	None	

New Spitalfields Market

	Visitors/Filming/Photography	Fee Received
December	3 rd Xmas Tree switch on and breakfast by Madam Mayor of London Borough of Waltham Forest.	
January	None	
February	New Covent Garden Market tour and visit.	
March	Tower Hamlets Markets and Street Trading Manger visits Market to discuss waste recycling and reuse.	

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Markets Committee Local Risk Revenue Budget - 1 April 2021 to 31 March 2022
(Expenditure and unfavourable variances are shown in brackets)

	Latest Approved Budget 2021/22			Provisional Actual 2021/22			Better/ (Worse) £'000
	Gross Expenditure £'000	Gross Income £'000	Net Income £'000	Gross Expenditure £'000	Gross Income £'000	Net Income £'000	
<u>Markets (City Cash)</u>							
Directorate	(461)	0	(461)	(394)	0	(394)	67
Billingsgate - Corporate Account	(236)	121	(115)	(416)	254	(162)	(47)
Billingsgate - Service Charge	(2,556)	2,556	0	(2,396)	2,396	0	0
Billingsgate - Repainting and Special Works	(100)	100	0	(82)	82	0	0
Smithfield - Service Charge	(2,991)	2,249	(742)	(2,862)	2,255	(607)	135
Smithfield - Corporate and Direct Recovered	(1,500)	1,405	(95)	(1,302)	1,195	(106)	(11)
Smithfield - Other (Including Car Park)	(636)	786	150	(603)	859	256	106
	(8,480)	7,217	(1,263)	(8,055)	7,042	(1,014)	249
<u>Markets (City Fund)</u>							
Spitalfields - Corporate Account	(66)	0	(66)	(363)	(0)	(363)	(297)
Spitalfields - Service Charge	(5,819)	5,802	(17)	(5,585)	5,449	(136)	(119)
Spitalfields - Repair and Repainting	(164)	164	0	(369)	369	0	0
	(6,049)	5,966	(83)	(6,317)	5,818	(499)	(416)
TOTAL MARKETS COMMITTEE LOCAL RISK	(14,529)	13,183	(1,346)	(14,372)	12,860	(1,512)	(166)

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Committee(s)	Dated:
Markets Board	25.05.22
Subject: Wholesale Market Risks Update Report	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	4, 7
Does this proposal require extra revenue and/or capital spending?	N/A
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain's Department?	N/A
Report of: Ben Milligan, Director of Markets	For Information
Report author: Don Perry, Markets Department	

Summary

This report has been produced to provide the Markets Board with assurance that risk management procedures in place within the Markets Division 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 Markets Division of the Chief Operating Officer's Department. A process exists for in-depth periodic review of the risk register and for emerging risks to be identified.

In accordance with the City of London's Risk Management Framework, and as agreed by Markets Committee in November 2021, this report only considers key departmental level risks with a current risk score of 6 or above (i.e., those classed as Red or Amber) and which fall within the remit of your Board:

- COO-MKT NS 007: Air Quality Pavilion, New Spitalfields (AMBER 12)
- COO-MKT WM 004: Wholesale Markets – Traffic Management (AMBER, 12)
- COO-MKT SM 012: Building maintenance-management, Smithfield (AMBER, 8)
- COO-MKT WM 001: Wholesale Markets - Consolidation Project (AMBER, 8)
- COO-MKT BG 003: Brexit – Impact (AMBER, 6)
- COO-MKT SM 011: Brexit – Impact of Brexit on traders and imports, Smithfield (AMBER, 6)

Recommendation(s)

Members are asked to:

- Note the report and the actions taken in the Markets Division to monitor, and manage effectively, risks arising from its operations.

Main Report

Background

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

Current Position

2. This report provides an update on the key risks that exist in relation to the operations of the wholesale markets within the Chief Operating Officer's Department. 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 Markets Division Senior Management Group (SMG) meetings, over and above the suggested quarterly review. At each meeting, the SMG reviews existing risks and considers whether there are any emerging ones for addition to the risk register.
4. Between each SMG meeting, risks are reviewed in consultation with risk and control owners, and updates are recorded in the corporate risk management system (Pentana).
5. Regular risk management update reports are provided to this Board 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 Business Plan; slippage against key deliverables, for example.
 - An annual, fundamental, risk register review, undertaken by the tier of management below SMG.
7. The risk register may be refreshed over and above the stated process for review and oversight, in response to emerging issues or changing circumstances.

Summary of Key Risks

8. The Risk Register for the Wholesale Markets contains five departmental level risks with a current rating of 6 or above (i.e. those classed as 'Red' or 'Amber' on the City of London Risk Matrix, a copy of which is provided at Appendix A).
9. A Summary Risk Register is attached at Appendix B and the detailed Register at Appendix C. Our approach to all these risks is to reduce their rating.

Transport Risk

10. The following summary provides commentary on external reviews and guidance that have been sought to address the transport risk on each site.
11. **Smithfield Market**
In early 2016 the City commissioned the Freight Transport Association (FTA) to carry out an audit of vehicle movements at the market. The audit report was published in April 2016 and was used as the basis of an action plan to reduce the risk. A follow up to the original audit was carried out by the FTA in January 2017. The FTA concluded that improvements in physical safety had been made but stressed that the management of vehicles onto and off of the loading bays was an area where focus was needed. Regular audits of banksman activities are carried out by Market management and the risk is reviewed in the light of the outcome of these audits.
12. **Billingsgate Market**
In 2019 the City commissioned a review of workplace transport safety at Billingsgate Market by FTA Operational Consultancy. The review was carried out during July 2019 and the FTA reported back the same month with recommendations for remedial actions. The high priority actions have been completed and the FTA were invited to re-visit their review findings in February 2022. They issued their report in April 2022 and the Market management are currently formulating an updated plan to address the key findings.
13. **New Spitalfields Market**
In 2015 the City Commissioned Labyrinth to carry out an assessment of the traffic movements at the market and to make recommendations for necessary actions to reduce the risk. Labyrinth completed their site and work and reported in October 2015, with a series of graded recommendations. The recommendations were built into an action plan that was delivered in collaboration with the Market tenants. All actions on the plan have been completed. The risk is at target and kept under regular review.

Corporate & Strategic Implications

Strategic implications: Effective management of risk is at the heart of the City Corporation's approach to delivering cost effective and valued services to the public as well as being an important element within the corporate governance of the organisation.

Financial implications: None

Resource implications: None

Legal implications: None

Risk implications: The proactive management of risk, including the reporting process to Members, demonstrates that the Markets Division of the Chief Operating Officer's Department is adhering to the requirements of the City of London Corporation's Risk Management Policy and Strategy.

Equalities implications: There are no proposals in this report that would have an impact on people protected by existing equality legislation.

Climate implications: None

Security implications: None

Conclusion

14. Members are asked to note that risk management processes within the Markets Division adhere to the requirements of the City Corporation's Risk Management Framework. Risks identified within the operational and strategic responsibilities of the Markets Division are proactively managed.

Appendices

- Appendix A: City of London Corporation Risk Matrix
- Appendix B: Wholesale Markets Risks – Summary Risk Register
- Appendix C: Wholesale Markets Risks – Detailed Risk Register

Background Papers

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

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

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

(A) Likelihood criteria

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

(B) Impact criteria

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

(C) Risk scoring grid

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

(D) Risk score definitions

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

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

Contact the Corporate Risk Advisor for further information. Ext 1297

October 2015

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COO MKT Markets Committee Risk Summary Report

Report Type: Risks Report

Generated on: 04 May 2022



Rows are sorted by Risk Score

Traffic Light: Amber 6 Green 13

Risk code	Risk title	Current Risk Score	Current Risk Score Indicator	Trend Icon	Flight path
COO-MKT-NS 007	Air Quality – Market Pavilion	12			
COO-MKT-WM 004	Wholesale Markets – Traffic Management	12			
COO-MKT-SM 012	Building maintenance management	8			
COO-MKT-WM 001	Wholesale Markets Consolidation Project	8			
COO-MKT-BG 003	Brexit – Impact	6			
COO-MKT-SM 011	Brexit – impact of Brexit on traders and imports	6			

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COO MKT- Markets Committee Risk Report (Detailed Risk Register)

Report Author: Jane Poulton

Generated on: 13 May 2022

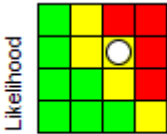
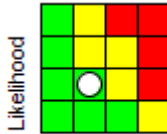


Rows are sorted by Risk Score

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/Risk Approach	Current Risk score change indicator
COO-MKT-004 Wholesale Markets - Traffic Management	<p>Cause: A lack of suitable and sufficient training and adequate management controls in relation to vehicle movements at each of the Markets.</p> <p>Event: There is a serious risk of life changing injury to a pedestrian if vehicle movements are not appropriately managed and controlled.</p> <p>Effect: An accident involving a pedestrian and a vehicle which resulted in a serious or life changing injury could result in prosecution, a fine, reputational damage for the City and have an adverse impact on the operation and sustainability of the service.</p>	<p>Likelihood</p> <p>Impact</p>	12	<p>The risk is kept under review by, and mitigating actions are developed and implemented to address specific areas of concern at, each Market.</p> <p>Billingsgate: Total compliance with the market's traffic management policies is sought. A consultant has been engaged to help achieve this and they have visited the site and produced a report.</p> <p>New Spitalfields: Over 200 forklift trucks operate on the site. Zero tolerance to produce being placed in the Market Hall roadways is now being enforced and the main</p>	<p>Likelihood</p> <p>Impact</p>	8	30-Jun-2022	

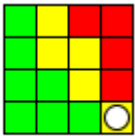
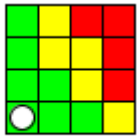

30-Dec-2021 Ben Milligan				<p>roadways are kept clear of all produce during trading hours.</p> <p>All actions from the Traffic Management Plan are now complete.</p> <p>Smithfield: Key concern is a lack of suitable and sufficient training and adequate management controls in relation to Heavy Goods Vehicle banksman activities undertaken by staff employed by Smithfield Market tenants.</p> <p>Regular audits are carried out and non-compliance is followed up with individual tenants and the Smithfield Market Tenants Association.</p> <p>12 May 2022</p>				Reduce	Constant
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Action no	Action description	Latest Note	Action owner	Latest Note Date	Due Date
COO-MKT-WM 004a	Re-engage consultant to provide assurance that essential recommendations have been actioned and that the risk has reduced.	Final Report received April 2022, currently addressing all actions in order of priority or developing robust case for not completing recommendations due to additional mitigations being established.	Daniel Ritchie	12-May-2022	27-Jun-2022
COO-MKT-WM 004b	Keep the risk under review.	Monthly review still required. The new maintenance contract is not meeting the expected standards and we are having ongoing issues with the software and its plate recognition technology. Concerns are being escalated via the Metric management chain as per contract.	Emma Beard; Debbie Howard	04-May-2022	30-Nov-2022
COO-MKT-WM 004c	Keep the risk under review and undertake regular audits of HGV movements.	Regular audits are carried out and non-compliance is followed up with individual tenants and the Smithfield Market Tenants Association. The next audit is planned for 15th May for 4 nights.	Shelley Ross-Harding; Mark Sherlock	11-May-2022	08-Aug-2022

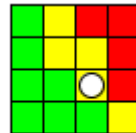
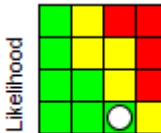

Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date/Risk Approach	Current Risk score change indicator
COO-MKT-NS 007 Air Quality - Market Pavilion 16-Feb-2022 Debbie Howard	<p>CAUSE: Use of diesel operated FLT's and other mechanical equipment in the Market Pavilion cause high levels of NO2 and particulate matter. There is an existing policy that prohibits tenants from idling (running engines while stationary) which has seen some improvement to the air quality, but not nearly sufficient to reduce the level of pollution.</p> <p>EVENT: Individuals (CoL staff, tenants, market workers and members of the public) are exposed to high levels of NO2 and particulate matter over a long period of time.</p> <p>EFFECT: Impaired lung function, cardiovascular disease or other serious health conditions are suffered by individual members of CoL and tenants' staff or members of the public. Potential financial and reputational damage to the Market and CoL as a result of legal action and/or negative publicity.</p>	 Likelihood Impact	12	The assessment remains the same while the air quality improvement strategy is implemented. 19 Apr 2022	 Likelihood Impact	4	31-Dec-2022	Constant

Action no	Action description	Latest Note			Action owner	Latest Note Date	Due Date
COO-MKT-NS 007a	<p>From 1st April 2022 government legislation changes will prevent the use of rebated fuels (red diesel) at New Spitalfields Market.</p> <p>Currently, our tenants run their forklift trucks on this type of fuel, most of which is purchased from the onsite fuel supplier.</p> <p>The fuel supplier will begin selling HVO Biofuel from March 2022 and from 1st April 2022 tenants have been informed that they can use Biofuel only - this will initially need to be cut with white diesel while stocks are acquired.</p>	<p>There were some delays with the availability of biofuel, so tenants were using white diesel only.</p> <p>Our onsite supplier received his shipment of Shell GTL which is now available to tenants and the full transition can begin.</p> <p>Progress will be monitored in time for the June 1st deadline.</p>			Emma Beard; Debbie Howard	04-May-2022	01-Jun-2022

	<p>This will be a transitional period with the use of biofuel ONLY becoming mandatory from 1st June 2022.</p> <p>We shall continue to review the air quality monitoring results to record the expected improvement this change will allow for.</p>				
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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/Risk Approach	Current Risk score change indicator
COO-MKT-SM 012 Building maintenance management 29-Sep-2020 Ben Milligan	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	8	Works are in progress and are proceeding through Chamberlain and the gateway process. Please refer to 12e for further information. 13 May 2022	 Likelihood	1	31-Mar-2023	 Constant
							Reduce	

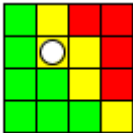
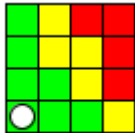

Action no	Action description	Latest Note		Action owner	Latest Note Date	Due Date
COO-MKT-SM 012e	Works priorities and phasing in progress to be agreed with City Surveyor's Department (CSD). CSD to raise PIDs to continue with further surveys and pricing exercises.	<p>Projects completed in the last 6 months – East Market side stream filter, 25-year sprinkler inspection (remedials to follow), glazed canopy remedials/replacement to the south and east elevations (a further gateway for the remaining north elevation has just commenced), replacement of high-level lighting in Grand Avenue, fixed wire test remedials. Projects currently in progress - smoke curtain replacement, fire alarm full survey (remedials to follow), replacement and upgrading of lighting and selective cable and distribution boards in the car park, replacement of cold-water tanks in the east and west markets, and a survey of the condenser water pipework (started w/c 9th May).</p> <p>3 PIDs have been successfully presented to Chamberlain and these are now starting the gateway process – East Poultry Ave structural remedials/reinstallation of the canopy, remedial works to the remaining north elevation glass canopy, ceiling covering and selective water ingress remedials in the car park. Funding of £1.9m allocated.</p> <p>CWP works that align with the Edge survey reports are also planned for 2022/23 namely – condenser water pipework replacement, pumps replacement, fume extract ductwork replacement and trace heating replacement. These are in addition to projects running from 2021/22 – BMS replacement, and selective pumps replacement and Air Handling Unit (AHU) works.</p>		Mark Sherlock	13-May-2022	04-Jul-2022

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/Risk Approach	Current Risk score change indicator
COO-MKT-WM 001 Wholesale Markets Consolidation Project Page 54 17-Mar-2020 Ben Milligan	Cause: The Markets Co-location Project (MCP) team are leading a project to move the City's Wholesale Markets to a single site in Barking & Dagenham. This proposed move may influence decisions on maintenance at the existing markets to ensure resources are not invested in works whose life will exceed the anticipated occupation of the respective market site. However, should the City of London Corporation be unable to, or decide not to, complete the MCP or determines an alternative use for the Barking site, the markets may not move and this could have an injurious effect on the continued operation of the markets on their existing sites. Event: The City's three wholesale food markets, New Spitalfields, Smithfield and Billingsgate are unable relocate to the Barking site and find themselves with seriously dilapidated infrastructure due to the investment decisions taken in anticipation of the proposed move to the Barking site. Effect: This could result in a major programme of works at the existing markets sites to catch up with the deferred maintenance in order to ensure the markets are fit for purpose. This could require significant additional capital investment. Relationships with tenants may be adversely affected due to the impact on normal operation of the refurbishment works, which could result in adverse publicity, possibly leading to reputational damage to the City and tenant claims against City of London Corporation for loss of earnings and other incurred costs Should the capital investment required be cost prohibitive, or the impact of the refurbishment cause severe disruption to tenants' businesses, this could trigger a decline in the markets, possibly to the point where they are irrecoverable.	 Likelihood Impact	8	Capital funding has been approved for three projects that will address the most significant findings of the condition survey at Smithfield. The Billingsgate Action Plan is progressing with projects to introduce new fish handling facilities, an outbound logistics trial and works to the Cold Store roof underway. Further intrusive survey work has been commissioned at New Spitalfields to establish in detail the works needed and provide an estimate of costs. The Markets Colocation Project (MCP) team are in active dialogue with each of the Markets Tenants' Associations. Regular design workshops and update meetings have been held. 03 May 2022	 Likelihood Impact	4	31-Dec-2026	 Constant
							Reduce	

Action no	Action description	Latest Note	Action owner	Latest Note Date	Due Date
COO-MKT-WM 001a	Keep risk under regular review	This risk has been reviewed in the light of recent actions on remedial works arising from the condition surveys and progress in dialogue with the Tenants' Associations. The risk will continue to be kept under review to ensure it reflects the developing circumstances that will impact the future operation of the markets.	Ben Milligan	03-May-2022	31-Dec-2026
COO-MKT-WM 001b	Agree and implement a maintenance strategy to ensure there are appropriate levels of maintenance such that the markets will not be forced to close due to failing infrastructure.	<p>The interim maintenance strategy will ensure that appropriate levels of maintenance continue to be carried out until there is more certainty about the markets' move. This will address the risk that the markets cannot operate due to failing infrastructure in the short to medium term.</p> <p>Capital funding has been approved for three projects that will address the most significant findings of the condition survey at Smithfield. The Billingsgate Action Plan is progressing with projects to introduce new fish handling facilities, an outbound logistics trial and works to the Cold Store roof underway. Further intrusive survey work has been commissioned at New Spitalfields to establish in detail the works needed and provide an estimate of costs.</p>	Ben Milligan	03-May-2022	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 & Score		Target Date/Risk Approach	Current Risk score change indicator
COO-MKT-BG 003 Brexit - Impact 04-May-2021 Daniel Ritchie	Cause: The outcome of Brexit negotiations between UK Government and EU fails to secure continuity of contracts and/or security of supply chains. Event: Market tenants fail to prepare appropriately. Impact: Delays and disruption in the food supply chain create shortages of product over a sustained period placing businesses under threat of viability, with small risk of failure and vacant market premises.		6	On the 28th April 2022 Government announced that the further import controls on EU goods which were due to be phased in from July, will not be introduced in 2022. The controls that have already been introduced will remain in place. The Government will publish a Target Operating Model in the Autumn that will set out our new regime of border import controls and will target the end of 2023 as the revised introduction date for our controls regime. 04 May 2022		1	30-Nov-2022	
							Reduce	

Action no	Action description	Latest Note	Action owner	Latest Note Date	Due Date
COO-MKT-BG 003a	Consult with LFMA, tenants and industry bodies on impact of the new import and export rules to ensure business preparedness.	On the 28th April 2022 Government announced that the further import controls on EU goods which were due to be phased in from July, will not be introduced in 2022. The controls that have already been introduced will remain in place. The Government will publish a Target Operating Model in the Autumn that will set out our new regime of border import controls and will target the end of 2023 as the revised introduction date for our controls regime.	Daniel Ritchie	04-May-2022	31-Dec-2023

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/Risk Approach	Current Risk score change indicator
COO-MKT-SM 011 Brexit - impact of Brexit on traders and imports 06-Sep-2019 Mark 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.	 Likelihood	6	On the 28th April 2022 Government announced that the further import controls on EU goods which were due to be phased in from July, will not be introduced in 2022. The controls that have already been introduced will remain in place. The Government will publish a Target Operating Model in the Autumn that will set out our new regime of border import controls and will target the end of 2023 as the revised introduction date for our controls regime. 04 May 2022	 Likelihood	1	30-Nov-2022	 Constant
							Reduce	

Action no	Action description	Latest Note	Action owner	Latest Note Date	Due Date
COO-MKT-SM 011a	Review the possibility of establishing HGV parking/holding areas in the vicinity of the market to cope with the anticipated increased volume of traffic, including the suspension of some on-street parking bays for this purpose. Other suggestions were West Poultry Avenue, where there is currently a contractors' compound, and Giltspur Street, which is apparently used for parking buses overnight at present.	Use of loading bays around the Market and the impact of local project works are constantly under review. As the pending full implementation and revised/new controls regime will not be implemented by the UK government until the end of 2023, the use and review of loading bays will become more pertinent nearer that date.	Mark Sherlock	12-May-2022	30-Sep-2022
COO-MKT-SM 011b	Reschedule working hours for market staff to cover possible extended trading hours.	As the pending full implementation and revised/new controls regime will not be implemented by the UK government until the end of 2023, the review of staff hours will be reviewed nearer the end of 2023 depending upon the final outcome of import procedures and potential impacts to the Market.	Mark Sherlock	12-May-2022	30-Sep-2022

COO-MKT-SM 011c	Extend permissible on-street parking periods. Be prepared to be flexible in response to demand possibly up to 1pm each day.	The full implementation of Brexit Checks planned to be introduced this July have been further delayed until end of 2023.	Mark Sherlock	11-May- 2022	30-Nov- 2022
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Committee: Markets Committee	Date: 25 May 2022
Subject: Report of Action Taken Between Meetings	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	<i>As set out in the full reports presented for approval under urgency or delegated authority</i>
Does this proposal require extra revenue and/or capital spending?	
If so, how much?	
What is the source of Funding?	
Has this Funding Source been agreed with the Chamberlain's Department?	For Information
Report of: Town Clerk	
Report author: Gemma Stokley, Town Clerk's Department	

Summary

This report advises Members of action taken by the Town Clerk since the last meeting of the Markets Committee, in consultation with the Chair and Deputy Chairman, and in accordance with Standing Order No. 41.

Recommendation – Members are asked to note the report.

NEW SPITALFIELDS MARKET – SALE OF GENERATORS

In March 2009, three generator sets and fuel tanks were installed at New Spitalfields Markets, to provide a localised emergency power supply, funded in its entirety from the Old Spitalfields Market Maintenance Fund. Since their purchase, there has only been once instance in which the generators have been used to supply power during a major disruption, in December 2009. Since 2009, a specialist contractor has been engaged to provide all maintenance and servicing and this has increased in cost, year-on-year, as the assets have aged. The annual spend for 2021/22 for planned and reactive maintenance totalled £5,193.

The generators are diesel operated and currently hold 40,000 litres of rebated fuel (red diesel). From the 1st of April 2022, new Government legislation will prohibit the use of rebated fuels in all but a few industries (of which New Spitalfields Market is not included). This means that fuel currently stored must be removed from the tanks and replaced with a standard diesel or compatible biofuel. Based on current fuel prices, it

is estimated that the sale of the rebated fuel would achieve £4,800 and the cost of replacement fuel would be £60,392.

Due to the high cost of refuelling the tanks with alternative fuel, the increasing costs of maintaining the generators, and the need to use the generators only once since 2009, officers investigated the possibility of alternative methods of ensuring potential power failures are mitigated in the quickest possible time, and at the best price, which adds value to the services and minimises costs for the tenants. Briefly, this comprised the sale of the three generators and fuel tanks, plus the rebated fuel, with Disaster Recovery Plans to be produced in place of the generators (which would see the equipment brought in on a hire basis, if and when required).

Action taken: The Town Clerk, in consultation with the Chairman and Deputy Chairman, agreed:-

- To sell the three generators and fuel tanks for the best obtained offer of £64,000, plus sell the rebated fuel contained within the tanks for an estimated conservative value of £4,800 (total receipts £68,800).
- That the proceeds of the sale be returned to the Old Spitalfields Market Maintenance Fund, to be used to fund future projects at New Spitalfields Market.
- To eliminate any operational risk in the unlikely event of a power failure, an annual Disaster Recovery Plan be required for each of the existing generator locations with MEMS Power Generation at a cost of £4,485 for the first year (to include the bespoke creation of each plan) followed by an annual membership fee of £1,785. In the event of a major power failure, generators and all associated equipment would be brought to site on a hire basis (with the estimated cost for 1 week's hire being £5,580).

Reason for urgency: The Markets Committee was not scheduled to meet again until 25th May 2022 and the changes to fuel legislation were due to take effect from 1st April 2022. After this date, if the generators and fuel tanks had not been sold, as agreed above, there would have been significant costs.

CONCESSIONARY PARKING DURING THE EASTER PERIOD 2022

On 1st February 2022, the Smithfield Market Tenants' Association (SMTA) submitted a request to the Superintendent for a period of free parking for all workers and customers, for 4 nights, from 9pm from Sunday 10th April until 10am Thursday 14th April 2022. The concession would be offered to vehicles between the hours of 9pm and 10am. Any vehicles parking outside of these hours would have been deemed as being unrelated to Market operations, and so charged the current normal hourly rate of £4.20 per hour, or part thereof, for the full duration of their stay. The concession sought to help alleviate traffic congestion around the Market buildings, and to encourage customers to shop at the Market.

Action taken: The Town Clerk, in consultation with the Chairman and Deputy Chairman, agreed a concessionary period such that the current tariff for the Rotunda Car Park be reduced to free for one night (Wednesday 13th April into Thursday 14th April) for all workers and customers arriving after 9pm and leaving before 10am the following day. *NB. A similar one night car parking concession was granted for Easter 2021.*

Reason for urgency: The request was submitted after the January Committee meeting and the next meeting of the Committee was not scheduled until 25th May 2022.

Contact: julie.mayer@cityoflondon.gov.uk

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