

MARKETS COMMITTEE

Friday, 11 September 2020

Minutes of the meeting of the Markets Committee held at Committee Rooms 3 & 4 -
2nd Floor, West Wing, Guildhall on Friday, 11 September 2020 at 9.30 am

Present

Members:

John Chapman (Chairman)	Deputy Tom Hoffman
James Tumbridge (Deputy Chairman)	Michael Hudson
Matthew Bell	Gregory Lawrence
Peter Bennett	Deputy Edward Lord
Nicholas Bensted-Smith	Wendy Mead
Mark Bostock	Deputy Robert Merrett
Deputy David Bradshaw	Deputy Brian Mooney (Chief Commoner)
Simon Duckworth	Deputy Hugh Morris
John Edwards	Stephen Quilter
Deputy Kevin Everett	Deputy Elizabeth Rogula
Helen Fentimen	Deputy Philip Woodhouse
Alderman Alison Gowman	Dawn Wright
Alderman David Graves	

In Attendance

Officers:

Jon Averbs	- Director of Markets & Consumer Protection
Daniel Ritchie	- Billingsgate Market Superintendent
Debbie Howard	- New Spitalfields Market Superintendent
Peter Young	- City Surveyor's Department
Anna Dunne	- City Surveyor's Department
Leyla Dervish	- Chamberlain's Department
Andrew Fothergill	- Comptroller & City Solicitor's Department
Antoinette Duhaney	- Town Clerk's Department
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1. APOLOGIES

Apologies for absence were received from Deputy Joyce Nash, Ian Seaton and Mark Wheatley.

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

There were no declarations.

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

RESOLVED – That the Order of the Court of Common Council Is received.

4. **ELECTION OF CHAIRMAN**

In accordance with Standing Order 29(4), the Town Clerk sought expressions of interest from Members willing and eligible for appointment as Chairman. John Chapman and Deputy Hugh Morris indicated their wish to stand for election as Chairman and a secret ballot took place with ballot papers being sent to all committee members present. The results of the ballot were as follows:

John Chapman – 18 votes

Hugh Morris – 10 votes

John Chapman was thereby elected as Chairman for the ensuing year.

John Chapman in the Chair

Mr Chapman thanked Members for their support.

5. **ELECTION OF DEPUTY CHAIRMAN**

In accordance with Standing Order 30(3)(a), the Town Clerk sought expressions of interest from Members willing and eligible for appointment as Deputy Chairman. The outgoing Chairman James Tumbridge expressed his wish to seek appointment as Deputy Chairman. This being the case, James Tumbridge was thereby duly elected as Deputy Chairman for the ensuing year.

Mr Tumbridge thanked Members for their support.

6. **VOTE OF THANKS**

RESOLVED – That a Vote of Thanks be presented to James Tumbridge, outgoing Chairman for his tenure as Markets Committee Chairman.

7. **ESTABLISHMENT OF THE MARKETS REFERENCE SUB-COMMITTEE**

RESOLVED – That the Members listed below be appointed to the Markets Reference Sub Committee:

John Chapman (Chairman)

James Tumbridge (Deputy Chairman)

Peter Bennett

Mark Bostock

Simon Duckworth

Michael Hudson

Greg Lawrence

Deputy Edward Lord

Deputy Robert Merrett

Stephen Quilter

John Scott

8. **PUBLIC MINUTES**

RESOLVED – That the public minutes of the meeting held on 15th July 2020 be agreed as a correct record.

Matters arising

Alderman Gowman requested a copy of the letters referred to under item 3 – Energy costs (page 6)

9. **OUTSTANDING ACTIONS LOG - SEPTEMBER 2020**

- Energy Costs - Officers advised that correspondence had now been sent. It was also reported that the Court of Common Council had approved the appointment of a preferred supplier for a Power Purchase Agreement (PPA) for off-site renewable electricity for the City of London Corporation. Advanced energy purchase would achieve savings and also reduce the volatility in energy pricing. The appointment of a new Energy Engineer would support this process along with energy surveys and dedicated workshops for the three wholesale markets. Members noted that the PPA would accrue substantial savings alongside other measures aimed at reducing energy consumption.
- New Spitalfields Market entry barrier – Officers reported that correspondence had been circulated to Members outlining action to seek recompense for delays in completing the installation.

10. **SUPERINTENDENTS UPDATES (ORAL REPORT)**

Billingsgate

It was reported that

- Although a number of requests for permits had been made, this was less than the number of permits being surrendered.
- Several enquiries regarding filming had been received.
- COVID-19 Testing Centres were being hosted every three days until the end of September 2020. The impact on the market was minimal and tenants had been very co-operative
- The Annual Harvest Festival would take place on 11th October 2020 at St Mary's Up Hill at 11am

New Spitalfields

It was reported that

- Following Counsel's advice, a letter had been sent to the contractor regarding the delays in the installation of the car park entry barrier. Officers flagged that there was a risk that there would be a breach of contract and the outstanding works would not be completed.
- Part of the site was being used to store decommissioned mortuary equipment including storage containers and refrigeration units which had no impact on the day to day market operations.

- Trade was steady but there were issues with catering suppliers and two catering businesses had closed and were in the process of assigning leases.

Smithfield

- Officers reported that following the collapse of sections of guttering and canopy on the north east side of East Poultry Avenue at 11.50pm on Saturday 15 August 2020, Structural Engineers had inspected the remaining guttering and canopy and advised that this should be removed before East Poultry Avenue could be re-opened to pedestrians and vehicles. De-construction had commenced on 7th September and once completed, further investigation and surveys of the remaining roof structures and coverings in East Poultry Avenue would be undertaken along with an assessment of the gutters and canopies in West Poultry Avenue to identify whether any further remedial works were necessary.

In response to observations and questions from Members, Officers advised that scaffolding was being constructed to facilitate roof repairs over a period of approximately 13 months and that delivery times had been altered to minimise disruption. The Deputy Chairman commended officers for their prompt action and concerns were also raised regarding the impact of road closures. In response Officers stated that following discussions with the Highways Team, traffic signals had been re-phased to ease congestion and improve traffic flow until East Poultry re-opened on 21 September 2020.

Mr Lawrence highlighted the increase in congestion and stated that Smithfield Tenants felt that earlier action would have prevented the collapse of the gutters and canopy. He stated that road closures had seriously impacted on Traders and questioned the rationale for not opening Giltspur Street temporarily. He also stated that Smithfield Tenants did not feel supported and the closure of the main entrance gates for seven weeks was damaging businesses at what was already a very worrying time for Traders.

In response, Officers stated that opening Giltspur Street was not an option due to infrastructure issues. However, it was anticipated that East Poultry would reopen on 21st September.

11. MARKETS BUSINESS PLAN UPDATE PERIOD 1 2020/21 (APRIL-JULY)

The Committee considered a report of the Director of Markets & Consumer Protection updating Members on progress made during Period 1 (April-July) of 2020/21 against the key performance indicators (KPIs) and key improvement objectives outlined in the Markets' Business Plan 2020/21.

Mr Lawrence drew the Committee's attention to incorrect references within the report to Smithfield Markets as a poultry market which was not the case. Mr Lawrence requested that vacant space should be let now so that they could be fitted out ready for occupation once the roof repairs were completed. Mr Lawrence reiterated comments at previous meetings that the market was not surplus to requirements.

RESOLVED – That the report be noted.

12. **MARKETS COMMITTEE RISK UPDATE - SEPTEMBER 2020**

The Committee considered a report of the Director of Markets & Consumer Protection outlining management procedures in place to meet the requirements of the Corporate Risk Management Framework.

The Director of Markets & Consumer Protection highlighted an error in the report, stating that the Brexit risk should be ranked at Level 2. Officers also reported that the East Poultry incident had a reduced ranking due to the action taken/measures in place. Mr Lawrence stated that there were early warning signs before the gutters and canopy collapses as masonry had fallen from Gate 16. and urged Officers to remove the road closures as soon as possible.

Officers also reported that the Brexit negotiations were being monitored closely and the Risk Register would be updated as necessary.

RESOLVED – That the report be noted.

13. **SMITHFIELD MARKET CAR PARK UTILISATION: FEBRUARY 2020 - JULY 2020**

RESOLVED – That the report be noted.

14. **MARKETS CO-LOCATION PROGRAMME: FOOD SCHOOL**

The Committee considered a joint report of the City Surveyor and the Director of Markets and Consumer Protection in respect of the establishment of an on-site food school as part of the Markets Consolidation Programme (MCP).

In introducing the report, the Director of Markets & Consumer Protection paid tribute to the Deputy Chairman for the tenacity with which he had driven this element of the MCP. Steady progress was being made and governance matters were currently under consideration.

A member referred to concerns he had raised in respect of the CoL relationship with Be First and Counterculture Partnership LLP. Officers had responded with assurances that Counterculture was the only body who could demonstrate the breadth of experience to provide the specialist services required.

The Committee echoed the sentiments of the Director of Markets & Consumer Protection on the invaluable input of the Deputy Chairman and unanimously supported the Deputy Chairman's wish to continue as the Committee's Lead Member to drive forward progress with the Food School. Members also agreed that oversight for management of the proposed Food school should lie within the remit of the Markets Committee and agreed to send a recommendation to this effect to the Policy & Resources Committee.

Members also made the following points:

- Rent charges should be on the basis of an educational establishment rather than as a trader;
- The scope for fishmongers and livery companies providing funding should be explored

RESOLVED –

- (1) That the report be noted.
- (2) That officers explore whether rent charges should be on the basis of an educational establishment rather than as a trader.
- (3) That Officers explore the feasibility of fishmongers and livery companies providing funding.
- (4) That a recommendation be made to the Policy & Resources Committee that the Markets Committee unanimously endorses the Deputy Chairman continuing to act as the Markets Committee's Lead Member for driving forward with the Food School element of the MCP.
- (5) That the Policy and Resources Committee be recommended to revise the Markets Committee's Terms of Reference as follows (insertion in italics):

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) oversight of the management of all matters relating to the proposed onsite Food School at Dagenham Dock as part of the Markets Consolidation Programme;

(c) the appointment of the Director of Markets and Consumer Protection (acting jointly with the Port Health and Environmental Services and Licensing Committees).

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

There were no questions.

16. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There were no urgent items.

17. **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(s)	Paragraph
18 - 24	3

18. **NON-PUBLIC MINUTES**

RESOLVED – That the non-public minutes of the meeting held on 15th July 2020 be agreed as a correct record.

19. **TENANCIES AT WILL AND ASSIGNMENTS**

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

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

There were no non-public questions.

At this point, Mr Lawrence left the meeting.

21. **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.

22. **MARKETS CONSOLIDATION PROGRAMME UPDATE**

The Committee considered a report joint report of the City Surveyor and Director of Markets and Consumer Protection providing an overview of progress on the main elements of the Markets Consolidation Programme.

23. **PROMOTION OF CITY OF LONDON (MARKETS) BILL**

The Committee considered a report of the Rememberancer promoting a private Bill in Parliament to facilitate the re-location of the City's Wholesale Markets.

24. **COVID 19 - PROPOSALS FOR ADDITIONAL SUPPORT FOR TENANTS**

The Committee considered a joint report of the Director of Markets & Consumer Protection and the City Surveyor in respect of proposals for additional support for tenants during the continuing COVID-19 pandemic.

The meeting ended at 11.49am

Chairman

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