

## MARKETS COMMITTEE

Wednesday, 13 January 2021

Minutes of the virtual meeting of the Markets Committee held on  
Wednesday, 13 January 2021 at 11.30 am

### Present

#### Members:

John Chapman (Chairman)	Wendy Mead
James Tumbridge (Deputy Chairman)	Deputy Robert Merrett
Matthew Bell	Deputy Brian Mooney (Chief Commoner)
Peter Bennett	Hugh Morris
Mark Bostock	John Petrie
Deputy David Bradshaw	Stephen Quilter
Simon Duckworth	Deputy Elizabeth Rogula
John Edwards	John Scott
Helen Fentimen	Ian Seaton
Alderman Alison Gowman	Deputy Dr Giles Shilson
Deputy Tom Hoffman	Mark Wheatley
Michael Hudson	Deputy Philip Woodhouse
Deputy Edward Lord	Dawn Wright

### In Attendance

#### Officers:

Jon Averbs	- Director of Markets and Consumer Protection
Donald Perry	- Markets and Consumer Protection Department
Daniel Ritchie	- Markets and Consumer Protection Department
Mark Sherlock	- Markets and Consumer Protection Department
Debbie Howard	- Markets and Consumer Protection Department
Peter Young	- City Surveyor's Department
Anna Dunne	- City Surveyor's Department
Steven Chandler	- City Surveyor's Department
Julie Smith	- Chamberlain's Department
Simon Owen	- Chamberlain's Department
Leyla Dervish	- Chamberlain's Department
Andrew Fothergill	- Comptroller & City Solicitor's Department
Julie Gibbs	- Markets and Consumer Protection Department
Shani Annand-Baron	- Town Clerk's Department
Polly Dunn	- Town Clerk's Department
James Gibson	- Chamberlain's Department
Graeme Low	- City Surveyor's Department
Antoinette Duhaney	- Town Clerk's Department

1. **APOLOGIES**

Apologies for absence were received from Nicholas Bensted-Smith, Alderman David Graves and Deputy Joyce Nash.

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

There were no declarations.

3. **PUBLIC MINUTES**  
**RESOLVED**

That the public minutes of the meeting held on 25 November 2020 be approved as a correct record.

4. **OUTSTANDING ACTIONS LOG**

The Committee considered a report of the Town Clerk tracking actions outstanding from previous meetings.

Officers reported that in respect of Energy Costs, a copy of correspondence to the Chairman of Spitalfields Market Tenants Association had been circulated to Markets Committee Members prior to this meeting. Members were also advised that gas and electricity charges had fallen significantly and that energy workshops would be arranged for all wholesale markets. Energy costs would also be reduced further once the new solar farm was operating as part of the Power Purchase Agreement.

**RESOLVED**

That the report be noted.

5. **MARKETS SUPERINTENDENT UPDATES**

The Committee heard oral reports from the Market Superintendents as set out below.

**New Spitalfields**

- Deliveries -There is currently approximately a 24 hour delay in the delivery of produce to the market which featured in an Evening Standard news article on 4<sup>th</sup> January 2021. Larger traders were purchasing multiple pallets for resale to smaller businesses.
- Covid-19 - A few traders had tested positive for Covid-19 and this was being monitored closely. Face coverings were required indoors and posters were displayed and flyers circulated to remind traders and visitors of this requirement. Scope for issuing fines/introducing new bylaws for non-compliance were being explored and advice was being sought from the Comptroller, CoL Police and Public Health to see what powers were available. The Deputy Chairman requested that this be pursued after the meeting to ensure full compliance with Public Health Guidance and Covid-19 Regulations.

- Refrigerated mortuary containers – These containers had now been moved but stretchers and body bags were still being stored onsite.
- Entrance barrier – without prejudice meetings with the supplier took place on 2<sup>nd</sup> Dec 2020 and 5<sup>th</sup> Jan 2021 and a follow up offer of compensation from the supplier was imminent. (an earlier offer was refused)
- A fire safety audit had scored 91% for fire safety compliance.

### **Smithfield**

- Christmas trade – trade had been fair to good and a Covid-19 queuing system had been used to control the maximum allowable number of 50 people at any one time in Buyers Walks from 13<sup>th</sup> December. A peak of 6,300 visitors was reached on 21<sup>st</sup> December 2020 and the Market welcomed just over 30,000 visitors in the 10 days prior to Christmas. There was a 20% decline in vehicles using the car park compared to the same Christmas period in 2019. The current lockdown and severely impacted on trade and since Christmas, trade was only reaching 40% of usual levels expected for this time of year.
- Covid-19 – there had been a small increase in the number of cases among CoL staff and traders and this was being closely monitored with CoL staff tested fortnightly. Risk assessments were also under constant review.
- Brexit – although there had been no noticeable impact on market operations, trade was noticeably quieter during the current lockdown.
- Glass canopy – further repairs were due to start on 21st January 2021 whilst maintaining access and egress for deliveries, customers and contractor servicing. It was expected that this phase of works would be completed by the end of February 2021. (East Poultry Avenue had reopened on 30<sup>th</sup> November 2020). Funding for the glass works to the south west elevation was estimated at £75,000 and would be met from the cyclical works budget through the City Surveyor.

### **Billingsgate**

- Tenants Meeting – a meeting was planned for the following week to discuss Heads of Terms and an action plan of projects/schemes of work for prioritisation during the remaining time at the current site.
- Christmas trading – trading took place without incident, despite reduced traffic management support from the Metropolitan Police. Trade buyers were allowed access to the market two hours earlier than normal, in part to manage traffic congestion and social distancing on the market. Trading continued for many tenants much later than usual in the fortnight before Christmas, due to restricted access to the public.

- Covid-19 – in response to a request from the London Borough of Tower Hamlets, there had been an increase in use of the site for mobile testing. Face coverings were required in all communal indoor spaces and this was being monitored in consultation with Environmental Health and Public Health Officials.

The Chairman emphasised the need for consistency across all markets in following the Covid-19 Regulations and Public Health Guidance and in response, Officers stated that written advice/guidance had been provided to traders in respect of Covid-19 and also EU imports.

RESOLVED -

That that the oral updates be noted.

#### 6. **MARKETS COMMITTEE RISK UPDATE**

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.

It was also confirmed that the general public were not being refused admission to New Spitalfields Market but visitors were not permitted entry in large groups to maintain social distancing.

Officers advised that the rating for MCP-SMO13 & MCP-SMO14 was green as mitigation measures had now been put in place. Members remained concerned regarding ratings for MCP-SMO13 & MCP-SMO14 and Officers reiterated that as a mitigation measure (netting) was in place, the level of risk had been reduced. However, Officers would consider whether the netting should be retained in the medium term, in consultation with City Surveyor and the outcome of the Markets building conditions surveys in the coming weeks would be reported to the Committee in due course.

Given the continuing concerns of Members that ratings were over-generous, Officers agreed to further review the MCP-SMO13 & MCP-SMO14 risk ratings.

RESOLVED -

That the report be noted.

#### 7. **REVENUE AND CAPITAL BUDGETS 2021/22**

The Committee considered a report of the Chamberlain and the Director of Markets & Consumer Protection presenting the proposed revenue and capital budgets for 2021/22. Officers stated that a savings envelope of 12% had been agreed across all budgets and consequently expenditure needed to be reduced or income increased in order to retain spending within cash limits. Officers requested that any questions relating to specifics of the Target Operating Model should be raised under non-public/confidential businesses.

In response to questions and comments from Members, Officers advised that

- Discussions were ongoing with the supplier regarding compensation for delays in installation of the entry barrier for New Spitalfields Market. The claim for compensation was only up to March 2020 and a claim beyond March 2020 had yet to be submitted.
- The shortfall in business rates income at Smithfield Market had been met by the CoL underspends from 2019/20 and also the Covid-19 contingency fund.
- The increased employment costs were attributed in part to a 5% increase in London Weighting.
- The additional costs at Smithfield and Billingsgate Markets for repairs and maintenance related to the Skanska contract managed by the City Surveyor's Department

The Chairman suggested that future reports should present a high level summary and in response, Officers stated that detail had been provided to give assurances to Members. However, going forward, reconciliation tables could be provided if this was acceptable to Members, rather than duplicating the operating table.

#### RESOLVED

1. That the proposed Markets Committee revenue budget for 2021/22 be approved for submission to the Finance Committee.
2. That the proposed Markets Committee capital and supplementary revenue projects budgets for 2021/22 be approved for submission to the Finance Committee.
3. That the Chamberlain, in consultation with the Director of Markets & Consumer Protection be authorised to revise these budgets to allow for any further implications arising from Corporate Projects, other reviews and changes to the Cyclical Works Programme and capital charges.

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

The Committee considered a report of the Director of Markets & Consumer Protection seeking approval of the Business Plan for the Markets & Consumer Protection Department: Markets for 2021/22.

Officers advised that in preparation for new reporting lines arising from the Target Operating Model, only the Markets element of the Business Plan was being reported to the Committee.

A member requested that additional text be included to illustrate how the Climate Action Strategy was being supported through measures such as reducing energy consumption and eco-friendly considerations for the Market Co-location Programme and Officers accepted this suggestion.

#### RESOLVED

1. That the factors taken into consideration in compiling the Markets & Consumer Protection Department: Markets Business Plan be noted.
2. That subject to the incorporation of any changes requested by this Committee, including Climate Action Strategy considerations as referred to above, the departmental Business Plan for Markets & Consumer Protection Department: Markets for 2021/22 (or the elements therein that fall within this Committee's Terms of Reference) be approved.

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

The Committee considered a report of Director of Markets and Consumer Protection providing an update on progress made during Period 2 (August-November) of 2020/21 against the key performance indicators (KPIs) and key improvement objectives outlined in the Markets Business Plan 2020/21.

In response to questions from Members, Officers advised that debt levels for Smithfield Market were historically low prior to the Covid-19 Pandemic. However, some traders were seeking financial support and decisions on the nature of this support had yet to be made.

#### RESOLVED

That the report be noted.

#### 10. **MAINTENANCE REPORT**

The Committee considered a report of Director of Markets and Consumer Protection providing an overview of the maintenance arrangements at Smithfield, New Spitalfields and Billingsgate Markets.

Officers reported that full building surveys would be undertaken and a report from Internal Audit would be presented to the Committee in March 2021.

A Member was concerned that there appeared to be no urgency in completing surveys and concerns were also raised regarding the potential for apportioning blame. Officers stated that the tender process for appointing surveyors to carry out the building audit had taken some time because of the nature of CoL requirements. It was also expected the Internal Audit would clarify responsibilities which would prevent apportionment of blame and highlight risk ownership.

RESOLVED

That the report be noted.

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

There were no questions.

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

There were no urgent items.

13. **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:-

<b>Item(s)</b>	<b>Paragraph</b>
<b>14 - 9</b>	<b>3</b>

14. **NON-PUBLIC MINUTES**

RESOLVED

That the non-public minutes of the meeting held on 25 November 2020 be approved as a correct record.

15. **TENANCY AT WILL AND ASSIGNMENTS**

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

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

There were no questions.

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

There were no urgent items.

18. **CONFIDENTIAL MINUTES**

RESOLVED

That the confidential minutes of the meeting held on 25 November 2020 be approved as a correct record.

19. **MARKET TENANTS AND COVID-19 - PROPOSALS FOR ADDITIONAL SUPPORT**

The Director of Markets & Consumer Protection and City Surveyor reported on further proposals for tenant support.

**The meeting ended at 1.21 pm**

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Chairman

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