

## MARKETS COMMITTEE

Wednesday, 10 March 2021

Minutes of the meeting of the Virtual Markets Committee held on

Wednesday, 10th March 2021 at 11.30am.

### Members Present:

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

### Officers in Attendance:

Jon Averts	- Director of Markets & Consumer Protection
Donald Perry	- Markets and Consumer Protection Department
Debbie Howard	- Markets and Consumer Protection Department
Daniel Ritchie	- Markets and Consumer Protection Department
Mark Sherlock	- Markets and Consumer Protection Department
Paul Monaghan	- Department of the Built Environment
Peter Young	- City Surveyor's Department
Anna Dunne	- City Surveyor's Department
Steven Chandler	- City Surveyor's Department
Julie Smith	- Chamberlain's Department
Leyla Dervish	- Chamberlain's Department
Andrew Fothergill	- Comptroller & City Solicitor's Department
Antoinette Duhaney	- Town Clerk's Department
Julie Gibbs	- Markets and Consumer Protection Department
Jonathan Cooper	- City Surveyor's Department
Shani Annand-Baron	- Town Clerk's Department
James Gibson	- Chamberlain's Department
Gemma Stokley	- Town Clerk's Department
Paul Wright	- Rememberancer's Department

1. **APOLOGIES**

Apologies were received from Peter Bennett, Gregory Lawrence 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 13.01.21 be approved as a correct record, subject to the second paragraph of Item 6 – Risk update, page 4 of agenda pack being corrected to read as follows:

*“It was also confirmed that the general public were not being refused admission to the wholesale markets. However, visitors were not permitted entry in large groups to maintain social distancing.”*

4. **OUTSTANDING ACTIONS LOG**

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

RESOLVED – That the report be noted and completed actions removed.

5. **MARKETS COMMITTEE REVIEW OF TERMS OF REFERENCE AND FREQUENCY OF MEETINGS**

The Committee considered a report of the Town Clerk reviewing the Committee's terms of reference and frequency of meetings.

Members were content with the proposed frequency of meetings but some felt that the terms of reference should be revised to reflect the Committee's invaluable input into proposals for the co-located markets at the new Dagenham Dock site to facilitate the Committee's general oversight of the design and management elements of the new consolidated market.

In response to a question, a Member advised that para(c) below would be updated to reflect the changes to the departmental staffing structures.

The Chairman expressed reservations about recommending such a revision to Markets Committee's terms of reference and a Member urged the Committee not to propose a change to the terms of reference as it was clear that that the Policy & Resources Committee was responsible for all aspects of the Markets Co-location Programme and once delivered, the Markets Committee would have operational oversight of the new co-located markets. It was also highlighted that the changes to job titles would be reflected in the terms of reference once roles were appointed to under the new Target Operating Model.

Given that most Committee Members were in favour of recommending a change to the terms of reference facilitate the Committee's general oversight of the design and management elements of the new consolidated market, it was

## RESOLVED –

1. That that, subject to any comments, the terms of reference of the Committee be approved for submission to the Court of Common Council, as set out at the Appendix to the report, and that any further changes required in the lead up to the Court's appointment of Committees be delegated to the Town Clerk in consultation with the Chairman and Deputy Chairman. (Subsequent to the meeting, the final wording as set out below was agreed with additional text 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) *conveying the Committee's views to the Policy & Resources Committee on the design and management elements of the new consolidated market at Dagenham Dock, whilst accepting that that the responsibility and oversight of the development of the co-located markets rests with the Policy & Resources Committee;*
  - (c) the appointment of the Director of Markets and Consumer Protection (acting jointly with the Port Health and Environmental Services and Licensing Committees).
2. That Members agree that the frequency of meetings per annum remain at six meetings per year, arranged in consultation with the Chairman, Deputy Chairman and the Director of Markets & Consumer Protection, in order for meetings to align with the anticipated work programme for the year.

## 6. **SUPERINTENDENT UPDATES**

The Committee heard oral updates from the Markets Superintendents on the matters set out below.

### ***New Spitalfields***

*Brexit* was now included in the risk register. Most produce was reaching the market during January 2021, there were 6,688 goods vehicles making deliveries. There were reported delays for flowers and plants deliveries from the EU but on the whole traders were not experiencing significant disruption. There was a risk of more disruption in April 2021 when additional inspections and extra forms might be required for some plant imports and when the full impact of the new import regulations was known from July 2021.

Trade in the market pavilion was approximately 10 - 15% below usual levels for this time of year but a busy trading period leading up to Easter was anticipated.

Two market pavilion leases were assigned and completed in February 2021 and two further pavilion leases, one CSB unit and one café assignment were pending. Unfortunately, catering businesses had lost about 90% of trade resulting in several company failures.

*COVID-19* – Environmental Health Officers from the London Borough of Waltham Forest (LBWF) had made several visits to monitor COVID-19 compliance and following inspections on 12.2.2021, there were eight stand closures. Stands were subsequently reopened when COVID-19 risk assessments were produced/signed off. Face covering and social distance compliance had increased to about 90% with full compliance from all traders and their staff. Providing information to customers and refusal by some traders to serve customers not wearing a face covering had increased customer compliance.

The Spitalfields Market Tenants Association (SpMTA) had issued 5,000 promotional face coverings to traders and the LBWF had also issued 500 face coverings. CoL and LBWF Officers were working with traders to ensure risk assessments were completed to a required standard and ensure compliance with control measures identified within these risk assessments.

### **Smithfield**

*Covid Trade Impact* - Trade had declined by up to 50% among some businesses and there had been corresponding reductions in waste and incineration volumes. Traders had indicated that the current trading period was the worst they had experienced and there has also been further staff redundancies and staff furloughs since the New Year.

The impact of COVID-19 varied from trader to trader and some suppliers were seeking payment in advance of product delivery or reducing credit terms. Many debts to traders from the first quarter of 2020 remained outstanding, adding to the significant cash flow challenges for traders.

*Glass Canopy & Building Safety Inspections* - Health and Safety repairs to the south west glass canopy had been completed and the gates and bays were now fully re-opened. There had been good collaborative work between Officers, the City Surveyor and principal contractor to minimise the impact on traders and full building inspections were taking place throughout March 2021 which would inform maintenance plans. Any critical Health and Safety works identified in the inspections would be prioritised and added to the next phase of East Poultry Avenue and glass canopy works.

### **Billingsgate**

*Trade* – the impact of COVID-19 varied among traders but traders had indicated a substantial reduction in trade compared to the period prior to restrictions first being imposed in March 2020. Traders serving the hospitality, restaurant and hotel sector were experiencing significant reductions in business.

*Brexit* – the impact of Brexit on traders ranged from negligible to moderate but overall, there appeared to be no significant impact on market operations.

*NABMA commendation* – The National Association of British Market Authorities highly commended Billingsgate Market for its submission to the National Association of British Market Authorities Innovation of the Year award by collaborating with MIND to create a break out area where all users of the market could access literature and pathways to support their Mental Health needs.

RESOLVED – That the updates be noted.

## 7. **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.

Members remained concerned about MCP-SM 001 and also questioned the rating for MCP-WM 001 (page 27 of agenda pack) given the building condition and discussions with SMTA.

In response to observations from Members, Officers advised that

- In respect of MCP-BG 001 (page 20 of agenda pack), the inherent risk could not be reduced because of the physical layout for vehicle movements.
- In respect of MCP-SM 012 (page 19 of agenda pack), this risk was largely historic but had been reduced by mitigation measures.
- A Brexit risk would be added for Billingsgate Market; this risk related to EU suppliers and affected a small number of traders.

RESOLVED – That the report and actions taken by the Markets and Consumer Protection Department to monitor, and manage effectively, risks arising from its operations. be noted.

## 8. **SMITHFIELD MARKET TENANTS' ASSOCIATION: REQUEST FOR CONCESSIONARY PARKING DURING THE EASTER PERIOD 2021**

The Committee considered a report of the Director of Markets & Consumer Protection outlining submitted a request from Smithfield Market Tenants Association (SMTA) for a period of free parking for all workers and customers for four nights from 9pm on Sunday 28<sup>th</sup> March until 10am on Thursday 1st April 2021.

Members had mixed views on the length of the concessionary period to be granted and a Member suggested that in the absence of evidence to justify a concessionary period, the request from SMTA should be denied.

Other members took a different view supporting the officer recommendation to approve a one night concession, given the unprecedented challenges faced by businesses during the ongoing COVID-19 pandemic.

RESOLVED – That Option B, a one night concession on Wednesday/Thursday 31<sup>st</sup> March/1<sup>st</sup> April 2021 be approved.

9. **SMITHFIELD MARKET CAR PARK - SPRINKLER AND FIRE DOOR REMEDIAL WORKS (CS REF - 045/21)**

The Committee considered a report of the City Surveyor seeking approval for essential fire door and sprinkler head replacement at Smithfield Market Car Park.

The Chairman requested Officers to review the format of future reports so that appendices were listed as background documents rather than duplicating information in the covering report.

RESOLVED –

1. That a budget of £20,000 is approved to carry out detailed surveys to reach the next Gateway.
2. That the total estimated cost of the project of £120,000 (excluding risk) be noted.
3. That a costed risk of £30,000 (post-mitigation) be noted
4. That the total estimated cost of the project of £150,000 (including risk) be noted.
5. That it be noted that 'in principle' central funding from City Cash reserves was agreed as part of the 2020/21 annual capital bids.
6. That Officers review the format of future reports so that appendices were listed as background documents rather than duplicating information in the covering report.

10. **WEST SMITHFIELD & CHARTERHOUSE STREET (THAMESLINK) BRIDGES REMEDIAL WORKS**

The Committee considered a report of the Director of the Built Environment in respect of essential refurbishment/maintenance at three highway structures over the railway near Smithfield Market.

The Chairman requested Officers to review the format of future reports so that appendices were listed as background documents rather than duplicating information in the covering report.

RESOLVED –

1. That the report be noted.

2. That Officers review the format of future reports so that appendices were listed as background documents rather than duplicating information in the covering report.

**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:-

Items	Paragraph
14 - 22	3

**14. NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 13.01.21 were approved as a correct record.

**15. SUPERINTENDENT UPDATES**

The Committee considered an oral report on one issue.

**16. DEBT ARREARS - MARKETS PERIOD ENDING 31ST JANUARY 2021**

The Committee considered a report of the Director of Markets & Consumer Protection highlighting arrears of invoiced income.

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

There was one question.

**18. 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.

**The meeting ended at 1.10 pm**

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Chairman

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