

MARKETS BOARD
Wednesday, 9 November 2022

Minutes of the meeting of the Markets Board held at Guildhall at 11.00 am

Present

Members:

Deputy Henry Pollard (Chairman)	Deputy Philip Woodhouse (Deputy Chairman)
Deputy Mark Bostock	Catherine McGuinness
Alderman Alison Gowman	Alderman Sir David Wootton
Gregory Lawrence	Deputy Edward Lord
Wendy Mead	Oliver Sells KC
James Tumbridge	Paul Martinelli

In Attendance

Officers:

Ben Milligan	- Environment Department
Donald Perry	- Environment Department
Daniel Ritchie	- Environment Department
Mark Sherlock	- Environment Department
Anna Dunne	- City Surveyor's Department
Julie Gibbs	- Environment Department
Ben Dunleavy	- Town Clerk's Department
Graeme Low	- City Surveyor's Department
Emma Moore	- Chief Operating Officer
Ellen Fouweather	- Town Clerk's Department
Paul Wright	- Remembrancer's Department
Clem Harcourt	- Chamberlain's Department
Richard Chamberlain	- City Surveyor's Department

Also in attendance

Jeff Stedman	- Chair, Billingsgate Tenants' Association
Paul Walker	- Chair, New Spitalfields Tenants' Association

1. APOLOGIES

Apologies were received from Deputy Brian Mooney.
Henry Jones observed the meeting virtually.

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

Mr Gregory Lawrence advised that he has been granted a dispensation to speak on all matters concerning the London Central Markets (Smithfield) other than: (i) those in which he has a disclosable pecuniary interest as a shareholder or director of any company which holds a tenancy in the market; and (ii) those which would affect only him personally or his business interests as opposed to the generality of tenants within the market. *NB. This dispensation will be in place until the next Common Council elections in March 2025.*

3. **PUBLIC MINUTES**

The public minutes of the meeting held on 7 September 2022 were approved as a correct record.

Matters arising:

A Member praised the visit to the Dagenham site, and that it highlighted the importance of investment in the development. The Chairman agreed and praised the Leader of Barking and Dagenham Council and their team.

4. **ANNUAL REVIEW OF THE TERMS OF REFERENCE**

Members' received a report of the Town Clerk relative to the annual review of the Board's Terms of Reference.

Officers suggested two amendments to the terms of reference, as follows:

- Removal of the reference to Members holding tenancies under the Constitution
- Update section 4b so that it refers to the Director of Markets, removing 'and Consumer Protection', and remove the reference to the Port Health and Environmental Services and Licensing Committees.

Members discussed the governance arrangements for the Markets Co-Location Programme (MCP). It was confirmed that, should the MCP be approved as a major capital buildings project, it would automatically become the responsibility of the Capital Buildings Board, with the Chairman and Deputy Chairman of the Markets Board joining Capital Buildings Board as ex-officio members for the duration of the project.

The Chairman expressed his view that the Board should have greater operational input into the project. A Member agreed that the Board should make clear that it would be available and willing to provide expertise on the detail of the project as it progressed.

A Member said that they were disappointed that consideration was not being given to alternative approaches for delivering the project, and suggested the creation of a corporate entity, responsible to the Markets Board, to oversee it.

Other Members advised that it was important to have clarity on the relationship between the two Boards and their respective to avoid clashes. Another Member agreed and said that the Capital Buildings Board had a project management role, while the Board could make available the market expertise.

The Chair of the New Spitalfields Tenants' Association said that the market tenants do not have the same relationship with the Capital Buildings Board as they do with the Markets Board. Another Member said that the proper relationship would be between the tenants and the officers delivering the project, and that the role of the Capital Buildings Board was to provide

oversight and ensure the project was delivered in accordance with strategy and to deadline.

The Chief Operating Officer said that there would be a transition period where current operations and future operations overlapped, and suggested that this would be the point where the Board would want to provide input.

A Member said that the Markets Board had a strong membership and felt it should have greater control over the MCP as the project went into an important new phase. They did not feel that the Capital Buildings Board had been effective. Another Member replied to clarify that the Capital Buildings Board had not been responsible for the project thus far, and therefore should not be held culpable for any delays.

RESOLVED, that – Members:

- Recommend that the Board's composition and terms of reference be amended as follows:
 - Removal of the reference to Members holding tenancies under the Constitution
 - Update section 4b so that it refers to the Director of Markets, removing 'and Consumer Protection', and remove the reference to the Port Health and Environmental Services and Licensing Committees

5. **REVENUE AND CAPITAL BUDGETS 2023/24**

Members received a joint report of the Chamberlain and the Markets Director relative to the Revenue and Capital Budgets 2023/24.

RESOLVED, that – Members:

- i. note the latest revenue budget for 2022/23 for Markets Board;
- ii. approve the Markets Board draft revenue budget for 2023/24 for submission to Finance Committee;
- iii. approve the Markets Board draft capital and supplementary revenue projects budgets for 2023/24 for submission to Finance Committee;
- iv. note that the draft budget does not include the estimated increases in energy costs which are currently being reviewed in light of changing market prices with budgets to be adjusted once a final agreement on energy forecasts are made;
- v. agree that amendments for 2022/23 and 2023/24 budgets arising from changes to recharges or for any further implications arising from Corporate Projects, energy price increases and other reviews and changes to the CWP and capital charges during budget setting be delegated to the Chamberlain in consultation with the Chief Operating Officer

6. **WHOLESALE MARKET RISKS UPDATE**

Members received a report of the Director of Markets providing an update on Wholesale Markets Risks.

In reply to a question from a Member, the Chief Operating Officer confirmed that the Markets did not hold key man or critical illness insurance but undertook to explore whether this would be useful.

A Member asked for clarity on how risks were represented by the flightpaths. Officers undertook to discuss ways to change the description.

A Member asked if there was a potentially unidentified risk of disruption from protest action in and around London and the M25. The Chief Operating Officer confirmed that this was covered by the congestion risk.

RESOLVED, that – Members note the report and the actions taken in the Markets Division to monitor, and manage effectively, risks arising from its operations.

7. **GENERAL MANAGER UPDATES**

The Board received the General Managers updates.

Billingsgate:

The General Manager at Billingsgate Market informed the Board that Billingsgate had won a third national award for the outbound logistics trial. The first 12 weeks of the trial had seen 87% of Billingsgate merchants participate, achieving a 37% reduction in emissions, 949 fewer Central London journeys and 23,941 fewer kilometres being driven. The General Manager thanked the Markets Co-location Team for their help in supporting this, and the Billingsgate Merchants for embracing the trial.

The Chairman congratulated Billingsgate on behalf of the Board for the success of the project and for its recognition. The Chairman informed Members that all three markets would be contributing to a float at the upcoming Lord Mayor's Show, and one of the vehicles involved would be a vehicle used in the trial.

A representative of the Billingsgate Tenants commented that the trial had been successful but required continuing resource to ensure future success.

New Spitalfields:

The Markets Director informed the Board that officers had investigated ongoing issues regarding missing pallets at New Spitalfields and identified two individuals who had been removing pallets from the site for their own gain. One had now been banned from the site indefinitely, and the other given a one-month ban. Since the ban, New Spitalfields had seen a quadrupling of the amount of pallets available on site.

A representative of New Spitalfields congratulated the General Manager at New Spitalfields for their work on the pallets issue.

RESOLVED, that – the updates from the General Managers be noted.

8. **CONCESSIONARY PARKING AT SMITHFIELD MARKET DURING THE CHRISTMAS PERIOD 2022**

Members received a report of the Markets Director relative to concessionary parking at Smithfield Market during the 2022 Christmas period.

A Member expressed their surprise that, despite agreement at previous meetings for greater information regarding car park usage during concessionary periods to be included in these reports to help inform the Board's decision, this had not been included in the report presented at this meeting.

Other Members said that the current situation for traders was worse than other and felt that the opinions of the General Manager and traders should be followed when making a decision. A Member in reply said that this was why he was pushing for further data to be included in reports, as they felt that the traders often pushed for a longer concessionary period than the Board might want to grant.

The Chairman said that he was minded to choose Option B, granting a concessionary period of 13 days.

The Chairman requested that when the request for a concessionary period came to the Board again before Easter, officers include the above data in the report.

RESOLVED, that – Members:

- agree a concessionary period of 13 days from Sunday 11 December to Saturday 24 December
- delegate authority to the Town Clerk, in consultation with the Chairman and Deputy Chairman, to review the concession after the first week should the situation for tenants worsen

9. **ENERGY UPDATE**

Members received a report of the City Surveyor providing an update on energy and carbon related issues.

A Member asked for further information on the various surveys referenced in the report, and if they were all relevant when considering the potential costs. An Officer replied that they were working with two companies on surveys, Vital Energy and Mitie. They had entered into a framework agreement with Vital Energy to identify opportunities, and the surveys were free of charge. Mitie were providing more holistic surveys to identify a wider issues across Net Zero for the Markets.

A Member said there seemed to be at least two separate gateway reports in progress to get spending. An Officer replied that they would like to streamline the process and would be looking to take advantage of delegated powers in the Climate Action Strategy Scheme of Delegation and delegated authorities following the Gateway 2 paper.

A Member asked if officers felt that the City Corporation had the right approach in energy procurement, as the last time energy had been procured the night-time operations of the markets had not been taken into account. An Officer replied that each supplier and the profile of energy usage from the supplier is reviewed, with unit rates provided accordingly. The officer undertook to investigate this in further detail and provide a response.

A Member congratulated officers in the reduction in carbon footprint evidenced in the report. They said that this reduction appeared to have been achieved mainly through resources drawn from the Markets Board's budget and asked if officers would in future be able to access the City Corporation's Climate Action Strategy fund, which was available for projects of this nature, as this would have helped to generate additional resource for the project. In reply, officers undertook to work with the Chamberlain's Department to see what they could do to access this fund.

A Member expressed their hope that officers would do everything to ensure that all alternative methods of energy would be available for the new Markets site. An officer replied that the current surveys being undertaken would help to explore all opportunities. It was also important to

The Chairman requested that officers return in six months with a further update.

RESOLVED, that – the report be received and its contents 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

The Chairman hoped that Members would be able to support the Markets Float at the upcoming Lord Mayor's Show.

The Chairman provided Members with an update on his trip with the Markets Director to the wholesale markets of Abu Dhabi. He said that he wanted the MCP to provide a food hub that would be the envy of the UK and which should aspire to create a market for the future.

The Chairman suggested, and Members agreed, that one way to fulfil these aspirations was to embrace third-party financing, should that be an available option, and hoped that a briefing session with top financiers could be convened. A Member returned to the subject of the establishment of a special purpose vehicle to aid in this, as they felt it was easier for these entities to get external funding. Another Member seconded this idea and suggested that market tenants should be encouraged to invest in any potential entity to ensure buy-in to its success.

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:-

Items	Paragraphs
13-18	1,2 & 3

13. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 7 September 2022 were approved as a correct record, subject to minor corrections.

14. **BILLINGSGATE MARKET - BILLINGSGATE ACTION PLAN - ADDITIONAL FISH HANDLING UNIT - GATEWAY 4 - OPTIONS APPRAISAL**

Members received a report of the City Surveyor relative to the additional fish handling unit at Billingsgate Market.

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

There was one item in the non-public session.

16. **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.

17. **CONFIDENTIAL MINUTES**

The confidential minutes of the meeting on 7 September 2022 were approved as a correct record.

18. **MARKETS CO-LOCATION PROGRAMME UPDATE**

Members received an update from the Programme Director for the Markets Co-Location Programme.

The meeting ended at 1.14 pm

Chairman

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