

Committee(s)	Date:
Markets Committee	30 November 2016
Subject: Markets Committee Risk	Public
Report of: Director of Markets and Consumer Protection	For Information
Report Author: Donald Perry	

Summary

This report has been produced to provide the Markets Committee with assurance that risk management procedures in place within the Department of Markets and Consumer Protection 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 Department of Markets and Consumer Protection. In addition to the flexibility for emerging risks to be raised as they are identified, a process exists for in-depth periodic review of the risk register.

The Department of Markets and Consumer Protection have identified a number of departmental risks. Of these, the most significant risks for this Committee to consider are:

- MCP-NS 001 – Workplace Traffic Management (Current Risk: AMBER)
- MCP-SM 001 – HGV Unloading Operations (Current Risk: RED)
- MCP-SM 002 – Cooling Towers (Current Risk: AMBER)

Recommendation(s)

Members are asked to:

- Note the report and the actions taken in the Department of Markets and Consumer Protection to monitor and manage effectively risks arising from our operations.

Main Report

Background

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

Current Position

2. This report provides an update of the key risks that exist in relation to the operations of the wholesale markets within the Department of Markets and Consumer Protection. The report also outlines the processes adopted for the on-going review of risk and mitigating actions.

Risk Management Process

3. The Department of Markets and Consumer Protection risk management is a standing agenda item at the regular Departmental Senior Management Group (SMG) meeting, over and above the suggested quarterly review. SMG receives the risk register for review, together with a briefing note highlighting any changes since the previous review. Consideration is also given as to whether any emerging risks exist for inclusion in the risk register as part of Divisional updates on key issues from each of the Superintendents and Assistant Directors, ensuring that adequate consideration is given to operational risk.
4. Between each SMG meeting, risk and control owners are consulted regarding the risks for which they are responsible, with updates captured accordingly.
5. Regular risk management update reports are provided to this Committee 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 departmental Business Plan; slippage against key deliverables, for example.
 - Annual, fundamental, risk register review, undertaken by the tier of management below SMG.

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

7. The Department of Markets and Consumer Protection's Risk Register for Markets, attached as Appendix 1 to this report, has one RED risk and two AMBER risks:

MCP-NS 001 – Workplace Traffic Management (Current Risk: AMBER)

Over 200 forklift trucks are in operation on the New Spitalfields Market site.

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.

MCP-SM 001 – HGV Unloading Operations (Current Risk: RED)

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, on an area under the overall control of the City, could result in a serious or life changing injury to pedestrians, caused by uncontrolled or unguided reversing vehicles.

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.

This risk was previously rated as AMBER and although some safety improvements have been made, as yet we do not have the full co-operation of the market tenants and as their collaboration is key to reducing this risk we have temporarily escalated this risk back to its previous RED rating.

MCP-SM 002 – Cooling Towers (Current Risk: AMBER)

Failure adequately to manage or maintain the cooling towers at Smithfield Market could result in an outbreak of Legionellosis. St Bartholomew's Hospital is within the drift area of these towers which exacerbates the impact of this risk due to the close proximity of susceptible persons.

If this risk were to be realised it could result in prosecution, a fine and reputational damage for the City.

Conclusion

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

Appendices

- Appendix A – Markets Risk Register Summary

Background Papers

Department Business Plan

Department Risk Review

Department Business Plan Progress Report

Risk Management Strategy

Contacts:

Donald Perry (*Report author*)

T: 020 7332 3221

E: donald.perry@cityoflondon.gov.uk

Smithfield Market:

Superintendent – Matthew Hill

T: 020 7332 3747

E: matthew.hill@cityoflondon.gov.uk

New Spitalfields Market:

Superintendent – Ben Milligan

T: 020 8518 7670

E: Ben.Milligan@cityoflondon.gov.uk

Billingsgate Market:

Superintendent – Malcolm Macleod

T: 020 7332 3067

E: malcolm.macleod@cityoflondon.gov.uk

MCP Markets Committee Risk Report Appendix A

Report Author: John Smith

Generated on: 16 November 2016




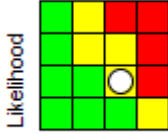

Rows are sorted by Risk Score

Code & Title: MCP-NS New Spitalfields Risk Register 1 MCP-SM Smithfield Risk Register 2

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	Current Risk score change indicator
MCP-SM 001 HGV Unloading Operations 24-Feb-2015 Matthew Hill	<p>Cause: 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>Event: Serious or life changing injury to members of the public, market staff and other service users caused by uncontrolled or unguided reversing vehicles.</p> <p>Effect: Realisation of this risk could result in a prosecution, fine and reputational damage for the City.</p>	 Likelihood Impact	16	<p>This risk was previously rated as AMBER and although some safety improvements have been made, as yet we do not have the full co-operation of the market tenants and as their collaboration is key to reducing this risk we have temporarily escalated this risk back to its previous RED rating.</p> <p>16 Nov 2016</p>	 Likelihood Impact	8	30-Dec-2016	 Decreased Risk Score

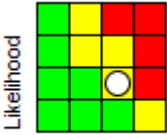
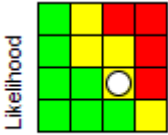

Action no, Title,	Description	Latest Note	Managed By	Latest Note Date	Due Date
MCP-SM 001a Traffic management audit	Commission Freight Transport Association to conduct audit and prepare a risk assessment relating to whole site traffic management and unloading issues.	The FTA have now completed their work and delivered the findings which were broadly accepted and understood by the SMTA.	Matthew Hill	08-Jan-2016	15-Dec-2015
MCP-SM 001b	Loading bay risk assessment to be reviewed and issued to	P. Spooner reports: All risk assessments have been revised and updated. The tenants have been	Matthew Hill;	16-Jun-	02-Mar-

Loading bay risk assessment	market tenants.	provided with the H&S report finalized in June 2014.	Robert Wilson	2015	2015
MCP-SM 001c Action Plan	Develop and implement an action plan.	Action plan completed and agreed with SMTA.	Matthew Hill	15-Nov-2016	30-Dec-2016

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	Current Risk score change indicator
MCP-NS 001 Workplace Traffic Management 24-Feb-2015 Ben Milligan	Cause: Over 200 forklift trucks operate on the New Spitalfields Market site. Event: There is a serious risk of life changing injury to a pedestrian if vehicle movements in this constrained space are not appropriately managed and controlled. 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.	 Likelihood Impact	12	Mitigation works are continuing and a programme of line marking has commenced to identify no parking areas etc. HGV and van parking areas are being considered to improve safe parking and loading. 08 Nov 2016	 Likelihood Impact	8	02-Jan-2017	 Decreased Risk Score

Action no, Title,	Description	Latest Note	Managed By	Latest Note Date	Due Date
MCP-NS 001i Train Managers In Forklift Safety	A member of staff from all tenants to be nominated and trained in FLT safety procedures.	Meeting held with Morgan Training Solutions. They will build a training scheme now to deliver to 15-20 managers at a time. COL will sign off course content and the SpMTA will facilitate the booking/promotion.	Ben Milligan	14-Nov-2016	28-Sep-2016
MCP-NS 001j Create Time Segregation	Artic Time Segregation and No Tolerance in market hall.	A parking policy has now been implemented that encompasses HGV parking. Penalty charge notices have been implemented to ensure that vehicles park in their respective areas. Curtain side trucks now have special provision for their parking and unloading. An offence has been created for forklift drivers unloading HGVs outside loading times allowable around the market. HGVs onsite must not unload around the market beyond 3am up until 8am. Once the car park at the far end of the market has been reviewed and the parking changed, as required, these HGVs will not be allowed to unload around the market between 12 midnight and 8am. This is the next step in the process.	Ben Milligan	14-Nov-2016	30-Sep-2016

MCP-NS 001k Install Barrier System	Controlled barriers entry system for pedestrians and vehicles.	Project, Project Sub, and Markets Committees all passed with no issues. Procurement are now inviting potential installation companies in to show the level of technical solution they believe should be installed. Once this has occurred, a detailed gateway 5 report will be created for final sign off at the Markets Committee.	Ben Milligan	07-Sep-2016	01-Oct-2018
MCP-NS 001l Segregate Walkways	Create segregated walkways in crossroads.	Work completed to segregate pedestrians from FLT's in the fire paths.	Ben Milligan	14-Nov-2016	10-Nov-2016
MCP-NS 001m Segregate Main Walkways	Segregated walkways outside tenants stands.	The option to install barriers to segregate the public will not be adopted at this time. Once all other options have been exhausted if improvements are not forthcoming then this option may be required.	Ben Milligan	09-Mar-2016	01-Mar-2016
MCP-NS 001n Prohibit Forklifts	No fork lift truck movements in market pavilion during trading hours.	This is part of the long term plan and is scheduled for Q4 of 2016.	Ben Milligan	27-Jan-2016	02-Oct-2017

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	Current Risk score change indicator
MCP-SM 002 Cooling Towers 24-Feb-2015 Matthew Hill	Cause: Inadequate management and maintenance of the cooling towers at Smithfield Market. Event: An outbreak of Legionellosis associated with these towers. St Bartholomew's Hospital is within the drift area of these towers which exacerbates the impact of this risk due to the close proximity of susceptible persons. Effect: If this risk were to be realised it would result in prosecution, a fine and reputational damage for the City.	 Likelihood	8	Strategic spread of information given to key staff after alerts to high legionella count results on condenser water so to trigger shutdown of system or part of system in quickest time. Decided at recent system meeting. 04 Nov 2016	 Likelihood	8	31-Jul-2016	 No change

Action no, Title,	Description	Latest Note	Managed By	Latest Note Date	Due Date
MCP-SM 002a Establish regular communication	Establish regular formal communication with the City Surveyor's department to provide positive confirmation that control measures, implemented on behalf of M&CP, continue to be effective.	The cooling tower system is sampled every month and results have always been negative for legionella. David Renshaw Health & Safety Advisor City Surveyor's Department holds a monthly review with the water treatment company (ESG on behalf of MITIE) where all the cooling towers and any issues re water are discussed, and any actions facilitated. The outcome of these is	Matthew Hill	01-Jun-2016	26-May-2016

		<p>communicated by CSs to the Market. CSs also undertake quarterly audits of site records to ensure records are well managed. CSs hold monthly review meetings with MITIE's water treatment contractor (ESG) to review all cooling tower results and any issues arising. Copies of all audits undertaken (including external EHO ones) are filed on site in the cooling tower water hygiene log book.</p> <p>The Market now has regular checks in place in relation to CSs records on site, checked monthly by the O&AM/Head of Maintenance.</p>			
--	--	--	--	--	--