

Committee(s):	Date(s):
Markets Committee	23 rd January 2017
Subject: Heavy Good Vehicle (HGV) Unloading Risk at Smithfield Market - Banksman Activities	Public
Report of: The Director of Markets and Consumer Protection	For Decision
Report Author: Donald Perry, Head of Business Performance, Markets & Consumer Protection	
Summary	
<p>In November 2016 the HGV Unloading risk at Smithfield Market was reclassified from an Amber risk to a Red risk on the Department's Risk Register due to the lack of progress that had been achieved against the Market's action plan.</p> <p>At the November 2016 Markets Committee, Members voiced concern about the status of this risk and asked for a report on whether the banksmen's duties should be taken back in house by the City. This report addresses these concerns and identifies actions that have been taken since November to reduce this risk.</p> <p>This report shows that, following the Committee's interest, the Smithfield Market Tenants' Association (SMTA) are being more positive in their level of co-operation, and progress is being made through a partnership working approach with the them and, whilst this is complex, improvements have been made. Attempting to bring the banksmen duties back under the control of the Constabulary will entail significant additional cost to the City and may potentially hamper future progress with the SMTA.</p> <p>Recommendation:-</p> <p>It is recommended that the partnership working approach is continued, subject to regular review of progress, and in the context of any further recommendations the FTA may make in the follow up audit.</p>	

Main Report

Background

1. As part of the 2013 lease negotiations the Smithfield Market Tenants' Association took on the responsibility of banksmen duties from the Market Constabulary.
2. Under the terms of the 2013 leases, the Joint Specification Committee (JSC) was set up and considered the Security Service at the Market as its first task. The JSC agreed a specification for security at the Market, to reflect both the SMTA's and the City's requirements. However, this specification excluded the Constabulary

undertaking banksmen duties and, as a result of this, savings in terms of staff numbers were identified and delivered.

3. During the handover process, the constabulary mentored tenants' staff ahead of the transfer in responsibility.
4. Subsequent monitoring by the Constabulary of HGV unloading activities managed by tenants' staff revealed poor practices, an increase in the number of 'near miss' incidents, and serious damage to the loading bay equipment.
5. In early 2016 the City commissioned the Freight Transport Association (FTA) to carry out an audit of vehicle movements at the market. The audit report was published in April 2016, and was used as the basis of an action plan to reduce the risk associated with vehicle movements at the market.
6. In November 2016 the HGV Unloading risk at Smithfield Market was reclassified from an Amber risk to a Red risk on the Department's Risk Register due to the lack of progress that had been achieved against the Market's action plan. Although some safety improvements had been delivered in terms of physicals controls measures (e.g. barriers and signage), there was specific concern about the level of co-operation of the market tenants in training and managing their own staff in carrying out banksman duties.
7. At the November 2016 Markets Committee, Members voiced concern about the status of this risk and asked for a report on whether the banksmen's duties should be taken back in house by the City. This report addresses these concerns and identifies actions that have been taken since November to reduce this risk.

Current Position

8. Following the November Markets Committee, officers at the market put pressure on the SMTA to provide information on the action they propose to take in order to provide the City with the necessary assurances that tenants' staff are adequately trained by a suitably accredited training provider, and that satisfactory procedures and insurances are in place for their staff that undertake banksmen activities.
9. In December of 2016 the SMTA provided an action plan update stating that it had decided to commission the FTA to provide some refresher training for their members' staff. The FTA have stated that they aim to commence this work by the end of January 2017.
10. A follow up to the original audit, commissioned by the City, is scheduled to be carried out by the FTA on 11 January 2017.

Implications

11. Should the decision be taken to pursue the return of the management of unloading operations to the Market Constabulary, this could have a negative impact on the current JSC agreement with the SMTA and potentially delay future progress.
12. Such a decision will inevitably increase costs due to the need to recruit additional Constabulary members and this is likely to be opposed by the SMTA.

Conclusion

13. It can be seen then that progress is being made through a partnership working approach with the SMTA, and whilst this is complex, improvements have been made in terms of both training and additional safety measures introduced by the Market e.g. tape barriers, signage, and road markings/hatchings.
14. It is recommended that the partnership working approach is continued, subject to regular review of progress, and in the context of any further recommendations the FTA may make in the follow up audit.

Proposal

15. It is proposed that :-
 - a. Members agree to continue with the partnership working approach with the SMTA in order to deliver improved performance of banksmen activities by their members' staff.
 - b. The progress of this approach is closely monitored and reported to Committee until the risk is reduced to Amber. Thereafter the risk will be monitored by the routine risk reporting procedure.