

PLEASE BRING THIS AGENDA WITH YOU

The Lord Mayor will take the Chair at ONE  
of the clock in the afternoon precisely.



## COMMON COUNCIL

SIR/MADAM,

You are desired to be at a Court of Common Council, at **GUILDHALL**, on  
**THURSDAY** next, **the 16th day of January, 2014**.

JOHN BARRADELL,  
*Town Clerk & Chief Executive.*

*Guildhall,  
Wednesday 8th January 2014*

Nicholas John Anstee

David Andrew Graves

}

*Aldermen on the Rota*

1 Question - That the Minutes of the last two Court meetings are correctly recorded?

2 Resolutions on Retirements, Congratulatory Resolutions, Memorials.

3 The Right Honourable The Lord Mayor's report on overseas visits.

4 Statement from the Chairman of the Policy and Resources Committee.

5 Docquets for the Hospital Seal.

6 List of applicants for the Freedom of the City:

(A list of names, together with those of the nominators, has been separately circulated).

7 Bill for an Act of Common Council

To:-

- Provide for the nomination and election of Auditors of Chamberlain's and Bridgemasters' Accounts, Bridgemasters and Ale Conners of this City; and
- repeal any previous conflicting provisions regulating or enforcing the same.

(Third and Final Reading).

(A printed report of the Policy and Resources Committee thereon has been circulated).

8 The Remembrancer's report of measures introduced into Parliament which may have an effect on the services provided by the City Corporation.

**Subordinate Legislation**

<b>Title</b>	<b>With effect from</b>
The Animal By-Products (Enforcement) (England) Regulations 2013, S.I. No. 2952.	12th December 2013.
The Local Authorities (Funds) (England) (Amendment) Regulations 2013, S.I. No. 2974.	20th December 2013.
The Council Tax (Reductions for Annexes) (England) Regulations 2013, S.I. No. 2977.	1st April 2014.
The Income-related Benefits (Subsidy to Authorities) Amendment (No. 2) Order 2013, S.I. No. 2989.	28th January 2014.
The Food Safety and Hygiene (England) Regulations 2013, S.I. No. 2996.	31st December 2013.
The School and Early Years Finance (England) Regulations 2013, S.I. No. 3104.	1st January 2014.
The Transfer of Functions Concerning School Lunches etc. (England) (Amendment) Order 2013, S.I. No. 3111.	1st January 2014.
The Feed (Hygiene and Enforcement) and the Animal Feed (England) (Amendment) Regulations 2013, S.I. No. 3133.	17th January 2014.
The Local Authority (Duty to Secure Early Years Provision Free of Charge) Regulations 2013, S.I. No. 3193.	1st September 2014.
The Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment No. 2) Order 2013, S.I. No. 3194.	13th January 2014.
The Infrastructure Planning (Business or Commercial Projects) Regulations 2013, S.I. No. 3221.	18th December 2013.

(The text of the measures and the explanatory notes may be obtained from the Remembrancer's office.)

9 The Town Clerk to report the result of a ballot taken at the last Court, viz:-

\* denotes appointed

a) One Member on the Open Spaces & City Gardens and West Ham Park Committees for the balance of a term to expire in April 2014.

John Alfred Barker, O.B.E., Deputy	Votes
Graeme Martyn Smith	37
	61 *

b) Two Members on the Board of Governors of the Museum of London for four year terms to expire in December 2017.

	Votes
*John George Stewart Scott, J.P., B.A.(Hons)	74*
Graeme Martyn Smith	35
*Michael Welbank, M.B.E., Deputy	78*

c) To agree with the recommendation of the Standards Committee that Ms Felicity Lusk and Ms Judith Barnes be appointed as Co-opted Members of the Standards Committee for four year terms to expire in December 2017.

Affirmative	93
Negative	4

## 10 To appoint the following:-

a) One Member on the Hampstead Heath Management Committee for the balance of a term to expire in April 2014.

Nomination received:-  
Ann Holmes

b) One Member on the Investment Committee for the balance of a term to expire in April 2016.

Nomination received:-  
Michael Hudson

c) One Member on The City Bridge Trust Committee for the balance of a term to expire in April 2016.

Nominations received:-  
The Revd. Dr. Martin Dudley  
Stanley Ginsburg J.P., Deputy  
Ann Holmes  
Andrew Stratton McMurtrie  
Judith Lindsay Pleasance  
John George Stewart Scott, J.P., B.A.(Hons)

d) One Member on the Castle Baynard Educational Foundation for the balance of a term to expire in March 2016.

Nomination received:-  
Jeremy Lewis Simons, M.Sc.

## 11 QUESTIONS

11A Letter of Sir Robert Finch thanking the Court for the resolution passed following his retirement from the Court of Common Council.

## 12 MOTION

**By Henry Llewellyn Michael Jones, Deputy**

“That Delis Regis be appointed on the Culture, Heritage and Libraries Committee and John Fletcher be appointed on the Markets Committee for the Ward of Farringdon Without, both in the room of Ibthayhaj Gani?”

## 13 AWARDS AND PRIZES

**National Joint Utilities Group Partnership Award 2013**

Report of the Chairman of the Planning and Transportation Committee.

“The City of London Corporation was awarded the “National Joint Utilities Group Partnership Award 2013” on the 10<sup>th</sup> December 2013 at the House of Commons for its work in partnering with office developers and telecoms providers in promoting a scheme for communal entry chambers for new developments in the City.

Communal entry chambers, which are built under the public highway, have been constructed for 11 new office developments in the City. They have resulted in faster, more coordinated installation of telecoms services into new office buildings, reducing the incidence of street works and disruption to vehicle and pedestrian movement in the City, and avoiding disturbing newly landscaped areas around new developments. The initiative has been led by the City Property Advisory Team (CPAT) and the Department of Built Environment (DBE) and has saved a total of 396 days working in the public highway in the City of London throughout 2013.

The City's planning powers (section 106) have been amended to require developers to fund the building of communal entry chambers to supply new developments. Chambers are funded, owned, and maintained by the developer, under a section 50 highways licence – "*private apparatus under a public street*", and on-going access and is managed by the building owner.

The judging panel from the National Joint Utilities Group made the following comment:

*"The City of London Corporation's submission showed both great partnership engagement and working but also demonstrated a proactive approach to effectively future proof the location from further unnecessary disruption. It showed great awareness in thinking beyond the matter at hand."*

#### 14 **PLANNING AND TRANSPORTATION COMMITTEE** **(Michael Welbank, M.B.E., Deputy)**

26 November 2013

##### **(A) Adoption of the West Smithfield Area Enhancement Strategy**

Your Committee seeks approval for the adoption of the revised West Smithfield Area Enhancement Strategy to progress the delivery of public realm improvement and a separately printed report has been submitted thereon.

The Strategy will -

- a) provide improvements to the public realm in the West Smithfield Area to benefit the increasing number of pedestrians using the streets and new developments including Crossrail;
- b) provide an improved, accessible and functional pedestrian environment that would support the projected increased pedestrian footfall, whilst supporting the activity of Smithfield meat market and the continuing operation of St Bart's Hospital; and
- c) identify current issues and future demands and set out a framework for addressing these within the context of existing policies and guidance.

In addition, the Strategy sets out a delivery plan which identifies projects arising from the Strategy, it prioritises them and indicates the funding strategy for delivery and we **recommend** its adoption.

12 January 2014

##### **(B) On-Street Parking Surplus Report 2012-2013**

Section 55(3A) of the Road Traffic Regulation Act 1984 (as amended) requires the City of London Corporation (together with the London Borough Councils and Transport for London) to report to the Mayor of London on action taken in respect of any deficit or surplus in their On-Street Parking Account for each financial year.

We submit a short printed and circulated report thereon, which we **recommend** be noted and submitted to the Mayor of London.

15 **CULTURE, HERITAGE AND LIBRARIES COMMITTEE**  
**(John George Stewart Scott, J.P., B.Sc.(Hons))**

4 December 2013

**Public Library Byelaws**

It is a requirement of the Public Libraries and Museums Act, 1964 (the legislation that governs the provision of library services by local authorities) that library services shall have byelaws setting out the rules for their use, formally approved by their parent Council. The byelaws follow a standard formula recommended by the Department of Culture, Media and Sport and require the endorsement of the Court.

The library byelaws currently in force in the City were approved by the Court in 1966 and are in need of updating. A revised set of byelaws has been drafted and is attached to a separately printed and circulated report and we **recommend** approval thereof.

16 **HOSPITALITY WORKING PARTY OF THE POLICY AND RESOURCES COMMITTEE**  
**(George Marr Flemington Gillon, Chief Commoner)**

12 November 2013 & 11 December 2013

**Applications for the Use of Guildhall**

In accordance with the arrangements approved by the Court on 21 June 2001 for the approval of applications for the use of Guildhall, we now inform the Court of the following applications which have been agreed to:-

<b>Name</b>	<b>Date</b>	<b>Function</b>
London District Surveyors Association	Friday 9 May 2014	Awards Ceremony
The London Platinum and Palladium Market	Tuesday 20 May 2014	Reception
Iifs (Institute of Financial Services) School of Finance	Friday 18 July 2014	Graduation
Embassy of Israel	Monday 27 April 2015	Dinner
The Worshipful Company of Carmen	Wednesday 15 July 2015	Cart Marking & Lunch
EuroWeek (Global capital markets newspaper)	Wednesday 12 February 2014	Dinner
Trades Exhibitions Limited (Annual Professional Beauty Awards)	Sunday 23 February 2014	Dinner
William Reed Business Media Ltd	Sunday 27 April 2014	Awards Ceremony
Association of the Luxembourg Fund Industry	Wednesday 14 May 2014	Conference

17 **AUDIT & RISK MANAGEMENT COMMITTEE**  
**(Jeremy Paul Mayhew, MA, MBA)**

11 December 2013

**Audit and Risk Management Committee – Appointment of Independent Members**

At its meeting on 9 September 2011 the Court agreed the procedure for appointing the external, independent, members of the Audit and Risk Management Committee. Whilst the procedure specifies that appointments cover a four year term, it does not include any scope for the re-appointment of existing members. We submit for your approval a printed report which seeks to address this by varying the procedure to allow external members to be re-appointed for a further term. However, in the interests of maintaining a fresh perspective, we are also recommending that, normally, a maximum of two terms be served in total.

We also seek the Court's approval to the re-appointment of Kenneth Ludlam and Caroline Mawhood, two of the current external members of the Audit and Risk Management Committee. Both terms expire in March 2014 and, in order to maintain an element of

continuity, your Committee is recommending that their proposed new terms be staggered at 3 and 4 years respectively, expiring in 2017 and 2018. For your information, the term of the third external member, Hilary Daniels, who was appointed by the Court in 2012, expires in 2016.

18 **SOCIAL INVESTMENT BOARD OF THE INVESTMENT COMMITTEE  
(Alderman Peter Hewitt)**

13 December 2013

**Social Investment Board - Update on activities**

Under the leadership of the Policy & Resources Committee, the City Corporation is working to position London as a global hub for social investment. In October 2012 the Court approved a designation of £20 million from Bridge House Estates for investments that produce a positive financial return and demonstrable social benefit and we submit a printed and circulated report informing Members of progress and we **recommend** that it be noted.

19 **THE CITY BRIDGE TRUST COMMITTEE  
(William Harry Dove, M.B.E., J.P., Deputy)**

28 November 2013

**City of London as Trustee of the Bridge House Estates**

At a recent meeting of The City Bridge Trust Committee Members requested clarification regarding the position in respect of the Bridge House Estates and City Bridge Trust. The Committee also sought clarification regarding Members' responsibilities when acting as Bridge House Estates Trustees.

We therefore submit, for your information, a separately printed and circulated report which explains the role of the City of London Corporation as Trustee of the Charity, Bridge House Estates and clarifies the distinct functions and responsibilities of the Committees of the Court of Common Council of the City Corporation that conduct business relating to the Charity.

20 **FINANCE COMMITTEE  
(Roger Arthur Holden Chadwick)**

13 December 2013

**(A) City of London Procurement Regulations**

Since the latest edition of the City's Procurement Regulations were approved in July 2012, there have been significant changes in the way in which the City organises its procurement, most notably the launch of the new City of London Procurement Service (CLPS) on 2<sup>nd</sup> April 2013. There have also been several important legislative and policy developments which have impacted on areas of the City's procurement. All of these developments require significant revisions to some of the existing Regulations, together with the introduction of some new regulations. The revisions and new regulations are more than minor technical updates and therefore require the approval of the Court and we submit a separately printed report for your approval.

**(B) Appointment of the Chamberlain**

As Members are aware, the current Chamberlain Chris Bilsland has given notice of his intention to retire on 31 May 2014. In accordance with Standing Order No. 61(1), the Recruitment Panel established by your Finance Committee submit a candidate for appointment as Chamberlain.

The candidate will appear before the Court of Common Council (in private session) and will give a presentation. Upon the candidate's withdrawal from the Court, a ballot by Members will be held for the appointment. On completion of that, the public will be re-admitted and the decision of the Court can be made known.

Our report has been separately printed and circulated only to Members as its contents include personal information relating to the candidate, which is considered to be exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act, 1972.

**MOTION****21 By the Chief Commoner**

“That the public be excluded from the meeting for the following item of business below on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act, 1972:-

A) recommendations of the Property Investment Board on various property transactions?”

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WOOLF, MAYOR  
HOWARD, LOCUM TENENS  
COURT OF COMMON COUNCIL

25th November 2013

MEMBERS PRESENT

ALDERMEN

Nicholas Anstee  
Charles Bowman  
John Garbutt  
Alison Gowman

Timothy Russell Hailes  
Gordon Warwick Haines  
Sir David Howard Bt MA DSc  
Sir Paul Judge, Sheriff  
Ian David Luder JP BSC (Econ)

Julian Henry Malins QC  
Neil Graham Morgan Redcliffe  
Matthew Richardson  
William Anthony Bowater Russell

COMMONERS

Randall Keith Anderson  
Kenneth Edwin Ayers MBE,  
Deputy  
Alex Bain-Stewart MSc JP  
John Alfred Barker, OBE Deputy  
John Bennett Deputy  
David John Bradshaw  
Nigel Kenneth Challis MA FCA  
FCSI (Hon)  
John Douglas Chapman, Deputy  
Henry Nicholas Almroth Colthurst  
Dennis Cotgrove BA  
Karina Dostalova  
Simon D'Olier Duckworth DL  
The Revd Dr Martin Raymond  
Dudley  
Kevin Malcolm Everett DSc

John William Fletcher BSc  
William Barrie Fraser OBE  
Deputy  
Stuart John Fraser CBE  
Marianne Bernadette Fredericks  
George Marr Flemington Gillon,  
Chief Commoner  
The Revd Stephen Decatur  
Haines MA, Deputy  
Brian Nicholas Harris  
Tom Hoffman  
Ann Holmes  
Michael Hudson  
Jamie Ingham Clark  
Stanley Keith Knowles MBE  
Deputy  
Charles Edward Lord OBE JP  
Professor John Stuart Penton  
Lumley

Jeremy Paul Mayhew MA MBA  
Andrew Stratton McMurtrie  
Wendy Mead  
Sylvia Doreen Moys  
Joyce Caruthers Nash OBE,  
Deputy  
Barbara Patricia Newman CBE  
Graham David Packham  
Dhruv Patel  
Ann Marjorie Francescia  
Pembroke  
Judith Lindsay Pleasance MA  
(Hons)  
James Henry George Pollard,  
Deputy  
Henrika Johanna Sofia Priest  
Gerald Albert George Pulman JP,  
Deputy  
Stephen Douglas Quilter BSc  
(Hons)

Richard David Regan, Deputy  
OBE  
Delis Regis  
Elizabeth Rogula  
Virginia Rounding  
John George Stewart Scott JP  
BA (Hons) FRPSL  
Dr Giles Robert Evelyn Shilson,  
Deputy  
Jeremy Lewis Simons MSc  
Graeme Martyn Smith  
Angela Mary Starling  
Patrick Thomas Streeter  
John Tomlinson, Deputy  
James Richard Tumbridge  
Michael Welbank, Deputy

Locum Tenens

The Town Clerk reported that the Lord Mayor was unable to attend the Court as she was overseas, whereupon, this day was produced and read in Court a Warrant signed by the Right Honourable The Lord Mayor appointing a Locum Tenens to transact all the business appertaining to the Office of Mayoralty of this City during her absence.

Gillon, G.M.F.,  
Luder, I.D.,  
J.P., BSc.

Resolved Unanimously – That in accordance with the resolution of the Court of Common Council of 24 October last, the Honorary Freedom of the City of London

(Econ),  
Alderman

be presented to the Most Reverend Desmond Tutu, Archbishop Emeritus of Cape Town, Republic of South Africa, in recognition of his exceptional contribution to peace and social justice in South Africa and throughout the World.

The Court proceeded to confer the Freedom upon Archbishop Desmond Tutu with all due ceremony.

Gillon, G.M.F.,  
Luder, I.D.,  
J.P., BSc.  
(Econ),  
Alderman

Resolved Unanimously – That the Address of the Chamberlain and the reply of Archbishop Desmond Tutu be entered on the journal of this Court and printed in the minutes of the proceedings sent to every Member

The Chamberlain delivered an Address to the Archbishop as follows:-

*“Archbishop Tutu, My Lord Mayor, Aldermen, Sheriffs, Chief Commoner, Ladies and Gentlemen.*

*Today we confer the greatest gift the ancient and august City of London Corporation can give, the Honorary Freedom. It is one we award sparingly, because it is reserved for those who have made an exceptional contribution, rendered outstanding service and provided exceptional leadership and inspiration.*

*On some occasions it is conferred upon leaders of nations, and few who were there will forget the dignity, grace and warmth displayed by President Mandela, when he received the honorary freedom during his visit in 1996.*

*On other occasions it is conferred upon Royalty, such as members of our own Royal Family, whether that is the late Queen Mother or Her Majesty the Queen herself.*

*Today we honour a man who is great, not in the trappings of state or the riches of success. But he is great in heart, great in spirit, and great in the generosity he has shown throughout his remarkable life: to the afflicted and oppressed of his own nation and throughout the world, and to those who oppressed him, and so many of his fellow countrymen and women. It is a model of leadership driven by the message of the Gospels he holds so dear, that to lead is to be last of all and to be the servant of all.*

*In every day of his life, Archbishop Desmond Tutu has sought reconciliation, forgiveness and truth and turned away from rancour and violence. That is the case in South Africa, but his example also played no small part in contributing to the peace process in Northern Ireland, and ending a time of trouble that caused such damage to the City of London itself. He has lived a towering life, full of grace, mercy and truth. It is a life lived as a fiery pillar of social justice. It has inspired and lit up the lives of millions.*

*This City depends on capital and how it is allocated to support business, the finance that is vital in creating jobs, growth and prosperity here in London, across the United Kingdom and across the world. Archbishop Desmond Tutu deploys a different kind of capital, a spiritual capital, driven by his unwavering faith, a faith rooted in the belief that we are all, men and women, from whatever background,*

*from whatever country, of whatever ethnicity, made to share common bonds, a common life, a common culture; to share in a community. It is a faith rooted in the Anglican Church into which he was ordained, but also in the spirit of Ubuntu, as he has described it, "the human spirit saying I am, because you are" of the bonds we all share and the responsibilities we have one to another.*

*He has said that "there are no ordinary people in my theology" a tribute to his wholly admirable view that each one of us is inherently valuable, distinctive and extraordinary. It is a most excellent doctrine. But I venture to suggest on behalf of us all that he is more extraordinary than most! And his extraordinary life has brought him global recognition, including the Nobel Peace Prize, and brings him here today.*

*It has been our privilege that he has chosen to spend time in London throughout his life and ministry, studying at Kings College, serving as a curate in North London and within the Diocese of Southwark, and engaging and speaking within the City of London itself, on peace, reconciliation and building cohesive communities; in unveiling the statue by Michael Visocchi at Aldgate; and, most recently, in receiving the Templeton Prize at the medieval Guildhall earlier this year.*

*Today the City of London honours Archbishop Desmond Tutu, but we who are gathered here represent hundreds of thousands of our fellow citizens who love and admire him and who cherish the contribution he has made as a beacon of all that is good and true. In expressing a hope that he might retire from an active role in public life in 2010 he commented that "too much of my time has been spent at airports and in hotels". Many of us in this most international, most diverse of cities know that weariness all too well. Thus we are all the more grateful that he should be with us today.*

*Archbishop Desmond Tutu, it is my honour to ask you to sign our Roll of Fame and record for posterity the honour you do us today.*

*On behalf of the Lord Mayor, Commonalty and Citizens of this City in Common Council Assembled, I ask you to accept this resolution.*

*They trust you will regard it as evidence of their recognition of your exceptional contribution to peace and social justice in South Africa and throughout the World.*

*I now have the privilege and honour as Chamberlain of this great and ancient City to offer you the right hand of fellowship and greet you as a Citizen of London."*

Reply by the Most Reverend Desmond Tutu, Archbishop Emeritus of Cape Town, Republic of South Africa,

"My Lord Mayor I should like to express my huge appreciation and gratitude for the kind words to me my wife and my family spoken by the Chamberlain on behalf of the City and Corporation of London. We are most honoured by the generous and warm hospitality of the City of London for the second time this year as has already been mention. Indeed, it was only in May this year that I was privileged to be in the City of London, at Guildhall, to receive the Templeton Prize. It is always a pleasure

for Leah and me to be in London. For that is where we first came as a family in 1962 as I had been appointed as curator of St Albans Church in Golders Green. There we were warmly welcomed into the Christian arms of many wonderful people including a very young Sarah Mugeridge, now Master of the Worshipful Company of Marketors in City of London and a founder Trustee of the Tutu Foundation UK. It is Sarah who brought me here today and it is wonderful to be among so many of our friends that I have seen in the audience.

Like many of my fellow South Africans, I had been brought up in a tradition of love for Great Britain and its democratic institutions. But at the time of coming to London in the 1960's my wife and I were not free people in our own country. We relished the freedom and respect that London offered me and my family. I have often recounted how we particularly liked asking for directions from your wonderful British bobbies, even when we knew where we were going. What a pleasure to be addressed politely as sir and my wife as madam.

In London I studied for my Bachelor's degree in Theology and gained Master's at Kings College. I visited my Alma Mater again last week and was delighted to see that splendid institution thriving under the continuing stewardships of it's Principal Sir Rick Trainor and it's Dean, The Rev. Professor Richard Burrige. It's also good for the ego to see my face large and prominent in one of the windows of the building at Aldwich where there is a Student's bar in the College called Tutu's.

Prior to my return to South Africa we moved from North London to a ministry in leafy Surrey at St Mary's Church, Bletchingley and we made many more friends there, some of whom are with us today.

My peace and reconciliation work has been mentioned. The Tutu Foundation UK was launched six years ago as a continuation of this. The Foundation's mission is to transform lives and communities here in the UK by building peace, respect, understanding and connections between people of different ethnic, religious and cultural backgrounds. The South African concept of *Ubuntu*, also mentioned, shows how we can be fully human, only when we value and appreciate one another, recognising that what we have in common is far greater than the differences between us.

Individuals in communities are best placed to identify the issues of tension and conflict within them and find their own practical solutions. To this end, the Tutu Foundation provides a safe space for community members to engage constructively with each other and encourages collective action to build bridges across the divides. I'm glad to pay a warm tribute to it's trustees and staff, present and past.

What an honour to be granted Honorary Freedom of this great City. Much of my life, like that of my dear friend Nelson Mandela, has been in pursuit of freedom in South Africa and elsewhere. I note that one of the traditional associations with the Freedom of the City of London is that of the privilege of driving sheep over London Bridge. In a sense I have perhaps been acting with others such as Trevor Huddleston and many others, all my life as a shepherd with a difficult flock, needing to be driven in the right direction.

My Lord Mayor may I once again thank you for the honour you and the City of London have bestowed on me before I return this afternoon with my family to Cape Town. I leave as a citizen of this principal commercial global capital with happy memories, of this occasion and a deep sense of gratitude.

Thank you all.”

**The meeting commenced at 12.30pm and ended at 12.50pm.**

**BARRADELL.**

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# WOOLF, MAYOR

## COURT OF COMMON COUNCIL

5th December 2013

### MEMBERS PRESENT

#### ALDERMEN

Charles Bowman  
Peter Estlin  
Jeffrey Richard Evans  
John Garbutt  
Alison Gowman  
David Andrew Graves  
Timothy Russell Hailes

Gordon Warwick Haines  
Peter Hewitt, FCSI, FRSA  
Sir David Howard Bt MA DSc  
Sheriff Sir Paul Judge  
Vincent Thomas Keaveny  
Ian David Luder JP BSC (Econ)

Professor Michael Raymond Mainelli FCCA  
FCSI FBCS  
Dr Andrew Charles Parmley MusM Hon FGS  
Neil Graham Morgan Redcliffe  
Matthew Richardson  
Sir David Hugh Wootton

#### COMMONERS

George Christopher Abrahams  
John David Absalom, Deputy  
Kenneth Edwin Ayers MBE,  
Deputy  
Alex Bain-Stewart MSc JP  
John Alfred Barker, OBE Deputy  
Douglas Barrow, Deputy  
John Bennett Deputy  
Christopher Paul Boden  
Nigel Kenneth Challis MA FCA  
FCSI (Hon)  
John Douglas Chapman, Deputy  
Henry Nicholas Almroth Colthurst  
Dennis Cotgrove BA  
Karina Dostalova  
William Harry Dove MBE JP,  
Deputy  
Simon D'Olier Duckworth DL  
The Revd Dr Martin Raymond  
Dudley  
Peter Gerard Dunphy  
Peter Estlin (Alderman)  
Robin Anthony Eve OBE, Deputy  
Kevin Malcolm Everett DSc  
Sophie Anne Fernandes

John William Fletcher BSc  
William Barrie Fraser OBE  
Deputy  
Stuart John Fraser CBE  
Marianne Bernadette Fredericks  
Lucy Frew  
George Marr Flemington Gillon,  
Chief Commoner  
Stanley Ginsburg JP Deputy  
The Revd Stephen Decatur  
Haines MA, Deputy  
Brian Nicholas Harris  
Christopher Michael Hayward  
Ann Holmes  
Robert Picton Seymour Howard,  
Deputy  
Michael Hudson  
Jamie Ingham Clark  
Clare James MA  
Henry Llewellyn Michael Jones  
Deputy  
Alastair John Naisbitt King MSc  
Deputy  
Vivienne Littlechild JP  
Charles Edward Lord OBE JP  
Professor John Stuart Penton  
Lumley  
Paul Nicholas Martinelli

Jeremy Paul Mayhew MA MBA  
Deputy Catherine McGuinness  
Andrew Stratton McMurtrie  
Wendy Mead  
Robert Allan Merrett  
Brian Desmond Francis Mooney  
MA  
Gareth Wynford Moore  
Hugh Fenton Morris  
Alastair Michael Moss  
Sylvia Doreen Moys  
Joyce Caruthers Nash OBE,  
Deputy  
Barbara Patricia Newman CBE  
John Richard Owen-Ward MBE,  
Deputy  
Graham David Packham  
Dhruv Patel  
Ann Marjorie Francescia  
Pembroke  
Emma Charlotte Louisa Price  
Henrika Johanna Sofia Priest  
Gerald Albert George Pulman JP,  
Deputy  
Chris Punter  
Stephen Douglas Quilter BSc  
(Hons)

Richard David Regan, Deputy  
OBE  
Delis Regis  
Adam Fox McCloud Richardson  
Elizabeth Rogula  
Virginia Rounding  
John George Stewart Scott JP  
BA (Hons) FRPSL  
Ian Christopher Norman Seaton  
Dr Giles Robert Evelyn Shilson,  
Deputy  
Jeremy Lewis Simons MSc  
Tom Sleigh  
Graeme Martyn Smith  
Sir Michael Snyder  
Angela Mary Starling  
Patrick Thomas Streeter  
David James Thompson  
John Tomlinson, Deputy  
James Richard Tumbridge  
Michael Welbank, Deputy  
Philip Woodhouse

Minutes

*Resolved* - That the Minutes of the last Court are correctly recorded.

New Aldermen

The Chief Commoner welcomed two new Aldermen to their first meeting of the Court of Common Council, namely Alderman Vincent Keaveny and Alderman Peter Estlin.



The two Aldermen were each heard in reply.

Regan, R.D.,  
O.B.E., Deputy  
Gillon, G.M.F.

*Resolved unanimously* - That, upon the retirement from the Court of:

Benjamin Robert Hadley Hall

this Court desires to place on record its warmest thanks for the service that he has given to the City of London over the past eighteen years.

Bob was elected as a Common Councilman for the Ward of Farringdon Within in 1995 and in 2002 he was elected as Alderman for the Ward. Over the years he has served on a wide range of Committees but his passion has surely been for the City Corporation's open spaces, both within and beyond the Square Mile, most recently chairing the West Ham Park and the Open Spaces & City Gardens Committees.

On taking their leave, his colleagues would like to express their very best wishes for a long, happy and healthy retirement from civic life in the City.

Fraser, S.J.  
C.B.E.  
Gillon G.M.F.

*Resolved* – That, on his retirement from this Honourable Court, the Members wish to place on record their warmest thanks to:

Sir Robert Gerard Finch

for the service that he has given to the Corporation and to the City for over the past twenty one years. Sir Robert was elected as Alderman for the Ward of Coleman Street in 1992 and, in that capacity, he was elected to the Office of Sheriff in 1999 and then become the 676<sup>th</sup> Lord Mayor of this City in 2003.

His eye for detail, thorough knowledge of property law, coupled with his traditional values and good humour were of great benefit during visits abroad during his Mayoralty and, indeed, at the meetings of the wide ranging Corporation Committees on which he served.

In taking their leave, his colleagues would like to express their very best wishes for his future health and happiness with the hope that he will long retain many happy memories of his civic life and all he has achieved for the wider City, for the City Corporation and for this Court.

Letters of  
Resignation

Letters of Ray Catt and Ibthayhaj Gani resigning their offices as Common Councilmen for the Wards of Castle Baynard and Portsoken, respectively.

*Received.*

McGuinness,  
C.,M.A., Deputy  
Luder, I.D.,  
J.P., B.Sc.  
(Econ),  
Alderman

*Resolved unanimously* - That this Honourable Court wishes to extend to:

Raymond Michael Catt

its sincere gratitude for his much valued service as a Member for the Ward of Castle Baynard.



Elected as a Common Councilman in 2004, Ray served with distinction on a number of Corporation Committees, becoming Chairman of the Investment Committee and Deputy Chairman of both the Finance Committee and the Financial Investment Board.

The Members of this Honourable Court wish to take this opportunity to express their heartfelt appreciation for his efforts and achievements and their very best wishes for his future success, good health and happiness.

Snyder, Sir M  
Gillon, G.M.F.

*Resolved unanimously* – That the vote of thanks read informally at the last meeting of this Honourable Court be agreed, included in the Minutes of this meeting; and that it be fairly transcribed, signed by the Town Clerk and presented in a manner agreeable to the late Lord Mayor.

Snyder, Sir M  
Gillon, G.M.F.

*Resolved unanimously* - That the Members of this Court take great pleasure in expressing to:

Alderman Roger Gifford

their most sincere thanks for the distinguished way in which he has carried out the varied demands of the Office of Lord Mayor of the City of London over the past year.

Whether at home or abroad, he has been an exemplary ambassador for both the City of London and the United Kingdom. He has made great efforts to strengthen the City's engagement with the European Union and to raise its profile in the continuing debate over the future of the UK in the Union. In particular, he engaged with all the other twenty seven member states of the EU, through visits or hosting events at Mansion House, and initiated a day of events including debates and a major dinner in late May attended by the Governor of the European Central Bank. Closer to home, he has highlighted the City's contribution to the arts, culture and creative industries and has demonstrated how the City's investment in the arts has generated business returns together with significant social benefits to London as a whole.

The theme of 'the City in Society' has placed philanthropy and legacy at the core of Roger's year in office. His love of music, shared by the Lady Mayoress, has led to him to establish a new charity, the City Music Foundation, which has been the primary beneficiary of his Appeal. This foundation aims to give musical apprenticeships to young talented people from around the country who are seeking their first professional opportunities in life. He has also led the donation by the City of London Corporation of a chamber organ to Her Majesty The Queen to be placed in Westminster Abbey to mark the Diamond Jubilee of Her Coronation. This organ was the centrepiece of a series of signature concerts, held at Mansion House, including one which appropriately celebrated coronation music. His Appeal also supports a number of other charities but perhaps the most noteworthy for its legacy, is an appeal to fund the planting of 4,500 mainly native oak and hornbeam trees on a thirty acre site, to be known as Gifford's Wood. The project also provides an opportunity to plant some pioneer species more tolerant of projected changes in climate and potentially to create a seed bank to secure these species for the future.

The Lord Mayor has promoted the interests of the City of London and of the nation around the World, visiting over 25 different countries; places as diverse as Latin America, the Gulf region, Russia, Japan and Africa and more recently China, Malaysia and Kuwait. He also strengthened and highlighted links between the City and the wider UK economy, visiting regional business centres where he has promoted his overseas visits programme and gathered messages to deploy abroad, ensuring that he is representing the views of the entirety of UK based financial and business services. In a sometimes hostile environment, he has defended the importance of the City and financial services while stressing the true role of finance as a means to achieving Britain's prosperity rather than just an end in itself.

The Lord Mayor has acted as host at many special occasions in Guildhall and Mansion House in the past year, including two magnificent State Banquets, the reception following the funeral of Baroness Thatcher and a visit of the Prime Minister of Japan during which he gave a keynote address in Guildhall

Such a diverse programme has placed huge demands on the Lord Mayor and he has risen to the challenge with aplomb. His never waning enthusiasm and utmost sincerity has made him an excellent communicator and much sought after speaker. Through his good humour and impeccable conduct, he has upheld the dignity of his office while never succumbing to the self importance of the Mikado's Poobah.

His colleagues on this Honourable Court also wish to pay tribute to the Lady Mayoress. Clare's highly successful career as a consultant physician and her keen interest in music and history, demonstrated by her writing a children's book on Dick Whittington and co-writing a book on the Samuel Collection, have stood her in good stead when taking upon herself a packed and varied programme. Thanks are due to Clare for her unstinting support and her many contributions are warmly acknowledged. Perhaps one of the most notable personal events during the year was the celebration by the Lord Mayor and the Lady Mayoress of their 5<sup>th</sup> Wedding Anniversary in the Church of St. Bartholomew the Great, in this City.

In taking their leave of this, their 685<sup>th</sup> Lord Mayor, Honourable Members trust that, after a well-earned rest, the family will look back on their unique year with the greatest pleasure, a justifiable pride and immense satisfaction.

Overseas visit	The Right Honourable the Lord Mayor reported on her recent overseas visit to Greece.
Policy Statement	There was no policy report.
Hospital Seal	Sundry documents were sealed with the Hospital Seal.
Freedoms	The Chamberlain, in pursuance of the Order of this Court, presented a list of the under-mentioned persons who had made applications to be admitted to the Freedom of this City by redemption: -

Stefaan Maurice	a Civil Servant	Houthulst, Belgium
Johannes Gheysen		
Christine Ann McKenzie	a Restaurant and Banqueting Suite Director	Hornchurch, Havering
Anna Marie Lawrence-Lovell	a Local Government Officer	Gravesend, Kent
Susan Mary Reay-Jones	a Married Woman	Woldingham, Surrey
Beryl Millicent Ann Pollak	a Married Woman	Woldingham, Surrey
Darren Mark Ager	a Stockbroker	Chelmsford, Essex
Joseph Mason Van Name	a Financial Planner	Alexandria, Virginia, United States of America
Dean Douglas Pearce	a Pipe Fitter	Hornchurch, Havering
Martin Lionel Beaumont	an Investor	Richmond Upon Thames
Angus William Bates	a Chartered Surveyor	Langford, Essex
Hardeep Singh Dogra	a Fund Manager	Hounslow
Thomas Leslie Bannister	a Business Continuity Manager	Great Dunmow, Essex
Royston Robert Henry Bird	a Musician, retired	Romford, Havering
Jennifer Jean Wallace	a River Thames Boatyard Owner, retired	Newbury, Berkshire
James William Bunce	a Consulting Engineer	Sittingbourne, Kent
David John William Semmens	a Bank Senior Manager	Highgate, Haringey
Kim Lawrence	a Senior Early Years Practitioner	Newham
Benjamin Rhys Coull	a Telecommunications Technology Company Director	Bourne End, Buckinghamshire
Gillian Louise Kelly	a Recruitment Company Associate Director	Forest Row, Surrey
Edward George Bethell	a Domestic Appliance Engineer	Stratford, Newham
Mark Richards	a Senior Project Manager	Enfield
Kuldeep Pottwail Singh	an Acquisitions Manager, retired	Repton Park, Ilford
Stephen Neil Puttick	an Electrician and Genealogist	Worthing, Sussex
Maureen Edna Georgina Beckway	a Bank Co-Ordinator, retired	Southwark
June Allsworth	a Social Work Manager, retired	Southwark
Herbert Stanley Dent	an Upholsterer, retired	Theydon Bois, Essex
The Honourable Alexandra Fiona Epps	a Graphic Designer	Clerkenwell, Islington
David Roderick Bowen	a Fraud Investigation Company Director, retired	Larkfield, Aylesford, Kent
Shiria Khatun	a Community Health Co-ordinator	Tower Hamlets
Jonathan Milligan	a Bank Official, retired	Curridge, Thatcham, Berkshire
Crossley		Brighton, Sussex
Philip James Thomas	a Surgeon	Cockfosters, Hertfordshire
Philip Armiston Redman	a Trade Mark Attorney	Burgess Hill, Sussex
Maureen Anne Stenning	a Charity Manager, retired	Priory Village, Burgess Hill, Sussex
Tracy Ann Stenning	a Bakery Manageress	Haarlem, The Netherlands
Petronella Bijlsma	a Management Consultant	New Addington, Croydon
Paul Lovell	a Taxi Driver	Croydon
Linda Pamela Lovell	a Hairdressing Salon Director	Rainham, Kent
Graham William Newman	a Local Government Officer	Leatherhead, Surrey
Joanna Catherine Vinall	a Teacher	Toronto, Ontario, Canada
Sunir Chandaria	a Consumer Product Company President	
Dylan Clive Davies	a Senior Vice Principal	Lambeth
Andrew Edward Hearn	a Marine Insurance Claims Company Director	Littlestone, Kent
James Derrick Natrass	a Police Officer	Shirley, Croydon
Mahinda Samarasekera	a Property Developer	Hutton, Brentwood, Essex

Joseph Colvin Rae	a Lifeboat Station Branch Chairman	Selsey, Chichester, Sussex
Dorian Grier	a Retail Department Manager	Amersham, Buckinghamshire
Donald Fraser	an Accountant, retired	Woking, Surrey
Thomas Alexander Jenkins	a Master Locksmith	Addiscombe, Croydon
David Edward Bowler	a Business Consultancy Company Director	Walton On Thames, Surrey
Barbara Ivy Crabb	a Local Government Officer	Orpington, Bromley
Ronald Norman Peter Brown	a Police Civilian Driver, retired	Bexleyheath, Bexley
Robert Charles Gardner	a Carpet and Upholstery Cleaning Contractor	Romford, Havering
Daniel Marc Holder	a Tree Surgeon	Warninglid, Haywards Heath, Sussex
Adrian Peter Murray- Leonard	a Personal Chauffeur	Hendon, Barnet
Fidelma Mary Hewitt	a Corporate Finance Company Director	Tower Hill, Tower Hamlets
Rose Jane Elizabeth Harding	The Southwark Cathedral Development Director	Brentford, Hounslow
Saeed Firoozkoobi	an Eyewear Distribution Company Director	Maida Vale, Westminster
Matei-Stefan Gaburici	a Student	Lewisham
Timothy William Jalland	a Business Management Consultancy Director	Poulshot, Devizes, Wiltshire
Michael John Waring	a Professor of Chemotherapy	Cambridge, Cambridgeshire
Elaine Jean Coleman	a Meal Supervisor	Battersea, Wandsworth
Peitao Tan	an Exhibition Director	Charing Cross, Westminster
David Graham Sidney Richards	a Property Management Company Director	Spitalfields, Tower Hamlets
Robert Anthony Woolf	a Chartered Accountant	Barnes, Richmond Upon Thames
Richard Mathers	a Ceramics Group Company Secretary, retired	Lampeter, Ceredigion
David Smith	an Office Supplies Company Owner, retired	Lampeter, Ceredigion
James Ronald Wharton	an Author	Windsor, Berkshire
Henry Franklin Winkler, OBE	an Author, Actor, Director and Producer	Los Angeles, California, United States of America
The Lord Browne of Maddingley, Edmund	an Energy Company Director	Chelsea, Kensington and Chelsea
John Phillip Browne		
Mahfouz Marei Mubarak	an Hotel and Retail Company	Makkah, Saudi Arabia
Bin Mahfouz	Chief Executive	

Read.

*Resolved* – That this Court doth hereby assent to the admission of the said persons to the Freedom of this City by redemption upon the terms and in the manner mentioned in the several Resolutions of this Court, and it is hereby ordered that the Chamberlain do admit them severally to their Freedom accordingly.

A Bill for an Act of Common Council to:-

- provide for the nomination and election of Auditors of Chamberlain's and Bridgemasters' Accounts, Bridgemasters and Ale Conners of this City; and

- repeal any previous conflicting provisions regulating or enforcing the same.

(First and Second Reading).

(A printed report of the Policy and Resources Committee thereon has been circulated).

*Resolved* – That the report be agreed to and that the Bill be read a first and second time.

Parliament

The Remembrancer reported on measures introduced into Parliament which may have an effect on the services provided by the City Corporation.

#### **Subordinate Legislation**

<b>Title</b>	<b>With effect from</b>
The School Governance (Roles, Procedures and Allowances) (England) (Amendment) Regulations 2013, S.I. No. 2688.	14th November, 2013.

(The text of the measures and the explanatory notes may be obtained from the Remembrancer's Office).

*Received.*

Appointments

The Court proceeded to make the following appointments in respect of which the Town Clerk reported that the following nominations had been received:-

- a) One Member on the Open Spaces & City Gardens and West Ham Park Committees for the balance of a term to expire in April 2014.

Nominations received:-  
John Alfred Barker, O.B.E., Deputy  
Graeme Martyn Smith

Read.

- b) Two Members on the Board of Governors of the Museum of London for four year terms to expire in December 2017.

Nominations received:-  
\*John George Stewart Scott, J.P., B.A.(Hons)  
Graeme Martyn Smith  
\*Michael Welbank, Deputy

Read.

The Court proceeded, in accordance with Standing Order No.10, to ballot on the foregoing vacancies.

The Lord Mayor requested the Chief Commoner and the Chairman of Finance Committee, or their representatives, to be scrutineers of the ballots.

*Resolved* – That the votes be counted at the conclusion of the Court and the results printed in the Summons for the next meeting.

Questions

There were none.

Snyder, Sir M  
Gillon, G.M.F.

*Resolved Unanimously* - That the vote of thanks to the late Lord Mayor, passed by Common Hall on 30<sup>th</sup> September last, be presented in a form agreeable to him.

Eve, R.A.,  
O.B.E. Gillon,  
G.M.F

*Resolved Unanimously* - That the vote of thanks to Jeffrey Evans, Alderman and Nigel Pullman, the late Sheriffs of the City, passed by Common Hall on 30th September last, be presented in a form agreeable to them.

Deane, A.J.C.,  
Deputy  
Gillon, G.M.F.

*Resolved* - That Gregory Lawrence be appointed on the Finance Committee for the Ward of Farringdon Without in the room of Edward Lord.

McGuinness, C.,  
M.A., Deputy  
Gillon, G.M.F.

*Resolved* - That Christopher Boden be appointed on the Finance Committee for the Ward of Castle Baynard in the room of Ray Catt, no longer on Common Council.

Awards and  
Prizes

There was no report.

Applications

## **Policy, Finance, Establishment, Investment and Audit Committees - Reports**

### **HOSPITALITY WORKING PARTY OF THE POLICY AND RESOURCES COMMITTEE (George Marr Flemington Gillon, Chief Commoner)**

17 October 2013

#### **Applications for the Use of Guildhall**

In accordance with the arrangements approved by the Court on 21 June 2001 for the approval of applications for the use of Guildhall, we now inform the Court of the following applications which have been agreed to:-

<b>Name</b>	<b>Date</b>	<b>Function</b>
Lehman Brothers International (Europe)	Tuesday 3 December 2013	Reception
Harvard University	Tuesday 21 January 2014	Reception
The Guild of Air Pilots and Air Navigators	Wednesday 19 February 2014	Dinner
The Worshipful Company of World Traders	Thursday 27 February 2014	Lecture
Army Benevolent Fund	Thursday 10 April 2014	Lunch
BASE London (facilitates green city initiatives to drive development)	Wednesday 25 June 2014 Thursday 26 June 2014	Lecture Lecture
Lord Mayor's Appeal	Tuesday 21 October 2014	Dinner



World Jewish Relief

Monday 24 November 2014

Dinner

*Received.***FINANCE COMMITTEE  
(Roger Arthur Holden Chadwick)**

19 November 2013

**Annual Report and Financial Statements for City's Cash 2012/13 and Auditors' Management Letter**

The Court authorised this Committee to approve, amongst other things, the Annual Report and Financial Statements for City's Cash. We have duly considered and approved the Annual Report and Financial Statements for the year ending 31 March 2013. Copies of the document have been placed in the Members' Reading Room and are available from the Chamberlain. In addition, the Annual Report and Financial Statements and Deloitte's management letter have been published on the City's website. The management letter from Deloitte on its audit of the funds is attached to a separately printed and circulated report for the information of the Court and we **recommend** that the report be noted.

*Received.***Rates Committees – Reports****PLANNING AND TRANSPORTATION COMMITTEE  
(Michael Welbank, Deputy)**

5 November 2013

**A) City of London Local Plan: Publication and Examination**

During January and March 2013, the draft Local Plan was issued for public consultation and comments were received from 80 individuals and organisations. The consultation process also involved public and other meetings. The full details of the comments can be found at [www.cityoflondon.gov.uk/localplan](http://www.cityoflondon.gov.uk/localplan).

The results of the public consultation and the revision of the Local Plan were considered at meetings of your Local Development Framework Sub Committee and by your Planning and Transportation Committee. We **recommend** approval of a separately printed and circulated report which proposes that the Local Plan be now agreed and published for public consultation for a minimum period of 8 weeks. This would represent a formal stage in the Plan preparation process in accordance with government regulations and is an opportunity for those with any outstanding concerns to register formal objections. It is also proposed that any changes that arise from the consultation be delegated to the Town Clerk in consultation with the Chairman and Deputy Chairman of the Planning and Transportation Committee, after which the list of changes would be submitted to the Secretary of State alongside the plan for examination by an Inspector. A complete copy of the Local Plan and the supporting documents can be found in the Members' Reading Room and on the City's website, as mentioned above.

We recommend – That:

- 1) the Local Plan be agreed and published for public consultation for a minimum period of 8 weeks;
- 2) following consultation, the Local Plan, the public's responses and other supporting documents be submitted to the Secretary of State for examination by a Planning Inspector; and
- 3) following the close of public consultation, the City Planning Officer be authorised, in discussion with the Chairman and Deputy Chairman of the Planning and Transportation Committee, to compile a list of further changes to the Local Plan in response to the public's comments for submission to the Secretary of State.

*Read and agreed to.*

11 November 2013

### **B) Aldgate Highway Changes and Public Realm Improvement Project – Detailed Options Appraisal - Report of Action taken under Urgency Procedures**

The Aldgate Highway Changes and Public Realm Improvement Project is a unique opportunity to achieve transformational change in the public realm and highways of the Aldgate area, through removing barriers to movement, reducing road danger and providing fresh public realm amenity. It is envisaged that the public realm improvements would include a new kiosk, feature seating and lighting, provide drinking fountains and play equipment and public art. The highway changes would include the conversion of Aldgate High Street and St Botolph Street to two-way working and there would be new pedestrian crossing facilities.

Following the submission of the Gateway 3 report in February 2013 officers undertook both public consultation on, and technical investigations into, the Aldgate Highways Changes and Public Realm Improvement project. The results of both the consultation and technical investigations allowed officers to identify a preferred option and the detailed proposals were approved by the Open Spaces and City Gardens and Finance Committees, and the Streets and Walkways and Projects Sub Committees during October 2013. It was necessary to seek the approval of the Court under urgency procedures to progress the project at an estimated cost of £16.3m-£17.1m – to Gateway 5 in order to prevent a delay of several weeks, which would have seriously affected the planned schedule of the project.

The report forecasted that £8m would be funded by Transport for London (to be formally agreed during November 2013) and that the remaining £8.3-£9.1m would be met using City of London Corporation Section 106 funds. Therefore sufficient funds existed to progress the scheme to Gateway 5. One potential exception to the forecasted capital funding was that of the proposed kiosk, to be located in the public square, it may be necessary to fund the kiosk via Property Investment Board funds, City Cash, or external investment. The potential to use Community Infrastructure Levy (CIL) was also being investigated. The project's revenue implications were forecasted as £154,352 per annum, which would arise from planned planting and lighting and more intensive cleansing. Whilst these may be met by additional revenue or service savings, it was noted that they may be alternatively met by using revenue arising from the commercial operation of the planned kiosk. The options for this would be evaluated in full during the detailed options appraisal.



Subject to the approval of the Gateway 5 report in April 2014, it is envisaged that the project will start on site in the summer of 2014 with completion during the summer of 2016. We **recommend** that the action taken be noted.

*Received.*

**CULTURE, HERITAGE AND LIBRARIES COMMITTEE**  
**(John George Stewart Scott, J.P., B.A.(Hons))**

28 October 2013

**City of London Visitor Strategy 2013-2017**

During the last decade the City Corporation's growing recognition of the importance of visitor issues and its development of visitor services has led it to create a portfolio of activity which not only supports corporate aims, but makes a valued contribution to wider London and government agendas. The previous versions of the Visitor Strategy have provided a rationale, a plan and a showcase for these activities and the latest updated version is now recommended for ratification and adoption. A separately printed report has been circulated to Members seeking endorsement of the actions contained within the Strategy and the need to recognise the growing importance of the visitor and tourism agenda to the activities of the City and we **recommend** approval thereof.

The Chairman responded to a number of detailed questions and, in response to a question from Brian Mooney, the Chairman undertook to advise the Member of the budget for the promotion of the City's visitor attractions.

*Read and agreed to.*

**STANDARDS COMMITTEE**  
**Charles Edward Lord, O.B.E., J.P.)**

29 November 2013

**Appointment of Co-opted Members of the Standards Committee**

The Standards Committee comprises ten Members, four of whom are Co-opted Members and must be independent from the City Corporation (ie. must not be Common Councilmen). Whilst Co-opted Members are no longer a statutory requirement, following the introduction of the Localism Act 2011, the City of London Corporation has approved the inclusion of Co-opted Members on the Standards Committee to maximise the breadth of knowledge and experience on the Committee. Following the introduction of the new standards arrangements in 2012, those serving Co-opted Members were retained in the non-statutory role.

Three vacancies for Co-opted Members of the Committee have arisen over recent months following completion of the terms of office of Dr Colin Kolbert, Howard Lederman and Felicity Lusk.

For the purposes of such appointments, a Selection Panel was established by the Court in November 2000 comprising the Chairman of the General Purposes Committee of Aldermen, the Chief Commoner and the Chairman of the Policy and Resources Committee, or their representatives. The vacancies were advertised on

the Guardian Online, Universal Jobmatch, the City AM (on-line) and the City of London Corporation's webpages between September and October. Four valid applications were received and considered by the Selection Panel. The Panel also considered the re-appointment of Felicity Lusk for a further term of office (to expire in December 2017).

It should be noted that the recommendations by the Selection Panel will be considered by your Standards Committee at its next meeting which is not until 29<sup>th</sup> November 2013, a date following the preparation and despatch of this report.

However in anticipation of our endorsing the Panel's findings, the purpose of this report is to seek approval to the recommendation of the Selection Panel that Ms Felicity Lusk and Ms Judith Barnes be appointed to fill two of the existing vacancies, with one vacancy to be appointed to in due course.

Ms Felicity Lusk has been a Co-opted Member of the Standards Committee since 15<sup>th</sup> July 2009 and, we are very grateful for the expertise and service she has rendered to the Committee over the last four years. Ms Lusk,

- has over 20 years' experience as a teacher and, since 1997, as Headmistress of Oxford High School
- has served on numerous bodies at national, regional and local level in a range of fields including education and the arts
- has served as a Court Member at Oxford Brookes University
- was an elected Member at the London Borough of Enfield from 1990 – 94
- served as one of the Independent Governors of the Guildhall School of Music & Drama between 2000 and 2009.

Ms Judith Barnes,

- has practised as a company/commercial lawyer for over ten years and is currently in charge of her own practice
- has previously served as a councillor for twelve years
- has a sound understanding of the City, having practiced as a solicitor whilst she was a partner in Jaques & Lewis
- worked as a Senior Policy Officer at the Independent Police Complaints Commission (IPCC) between 2005/12.

In anticipation of your Standards Committee endorsing the recommendations of the Selection Panel when it meets on 29 November, we will be recommending the appointment of Felicity Lusk and Judith Barnes on the Committee as Co-opted Members of the Standards Committee for four-year terms expiring in December 2017. Should there be any change, your Chairman will report on the position orally.

*Read.*

The Court proceeded, in accordance with Standing Order No.10, to ballot on the recommendation of the Standards Committee.

The Lord Mayor requested the Chief Commoner and the Chairman of Finance Committee, or their representatives, to be scrutineers of the ballots.

*Resolved* – That the votes be counted at the conclusion of the Court and the result printed in the Summons for the next meeting.

Gillon G.M.F.,  
Chadwick,  
R.A.H.

*Resolved* – That the public be excluded from the meeting for the following items of business below on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act, 1972:-

Summary of exempt items considered while the public were excluded

The Court –

- a) approved action taken under urgency procedures approving recommendations of the project sub on the refurbishment of a vacant office building
- b) approved action taken under urgency procedure approving recommendations of Property Investment Board on the grant of a new lease; and
- c) approved the details of a proposed resolution concerning a hospitality event.

**The meeting commenced at 1.00 pm and ended at 1.45 pm**

**BARRADELL.**

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## List of Applications for the Freedom

To be presented on Thursday, 16th January, 2014

To the Right Honourable The Lord Mayor, Aldermen and Commons of  
the City of London in Common Council assembled.

Set out below is the Chamberlain's list of applicants for the Freedom of the City together with the names, etc. of those nominating them.

<b>Claus Keimer Jorgensen</b>	a Bank Director	Brondesbury Park, Brent
<i>Thomas Christopher Patrick O'Maoileoin</i>	<i>Citizen and Arbitrator</i>	
<i>Michael Brendan Thomas O'Maoileoin</i>	<i>Citizen and Arbitrator</i>	
<b>Mary Caitrin Stockdale</b>	a University Adjunct Professor	Vernon, British Columbia, Canada
<i>Daniel Arthur Swan Corbett Major General, Sir Robert John Corbett, KCVO, CB</i>	<i>Citizen and Vintner Citizen and Vintner</i>	
<b>Susan Danaher</b>	a Strategic Communications Director	Chelsea, Kensington and Chelsea
<i>Sir Michael Bear, Kt., Ald. Jeremy Paul Mayhew, CC</i>	<i>Citizen and Pavior Citizen and Loriner</i>	
<b>Bernard John Roe</b>	a Food Distribution Company Director, retired	Goffs Oak, Hertfordshire
<i>Julius Oberegger</i>	<i>Citizen and Gold and Silver Wyre Drawer</i>	
<i>Roy William Painter</i>	<i>Citizen and Carman</i>	
<b>Bruce Christopher Tennent Clitherow, TD</b>	a Chartered Surveyor	Westminster
<i>Michael William Daniel Robert James Ingham Clark, CC</i>	<i>Citizen and Clockmaker Citizen and Clothworker</i>	
<b>Naseema Emma Khan</b>	an Interior Designer	Whitstable, Kent
<i>Alexander Bain Stewart, CC</i>	<i>Citizen and Gold and Silver Wyre Drawer Citizen and Pattenmaker</i>	
<i>Christopher Michael Hayward, CC</i>		
<b>Herbert Victor Hugh Parker Lawrence</b>	a Solicitor	Southgate, Brent
<i>Michael Hudson, CC Alexander Bain Stewart, CC</i>	<i>Citizen and Painter Stainer Citizen and Gold and Silver Wyre Drawer</i>	
<b>Susan Lucy Emmerson</b>	a Legal Secretary	Tower Hamlets
<i>Martin James Day, CC Reiko Ishibasai</i>	<i>Citizen and Solicitor Citizen and Painter Stainer</i>	
<b>Joanna Elizabeth Dickson</b>	a Teacher	Ewell, Epsom, Surrey
<i>John Alfred Bennett, Deputy Roger Arthur Holden Chadwick, CC</i>	<i>Citizen and International Banker Citizen and Bowyer</i>	

<b>Brian Peter Charlick</b> <i>David George Harwood</i> <i>Thomas Frederick Charlick</i>	a Business Consultant <i>Citizen and Poulter</i> <i>Citizen and Plaisterer</i>	Billericay, Essex
<b>David Christopher Pike</b> <i>Giles Robert Evelyn Shilson,</i> <i>Deputy</i> <i>Joyce Nash, OBE, Deputy</i>	a Teacher <i>Citizen and Common Councilman</i>  <i>Citizen and Feltmaker</i>	St Albans, Hertfordshire
<b>William James Ashworth</b>  <i>Stuart John Fraser, CC</i> <i>John Alfred Bennett, Deputy</i>	a Satellite Communications Company Director <i>Citizen and Fletcher</i> <i>Citizen and International Banker</i>	Leatherhead, Surrey
<b>Ida Virginia Ashworth</b> <i>Stuart John Fraser, CC</i> <i>John Alfred Bennett, Deputy</i>	a Teacher <i>Citizen and Fletcher</i> <i>Citizen and International Banker</i>	Leatherhead, Surrey
<b>Norman Harry De La Mouette</b> <i>Stephen John Warham Scott</i> <i>Nicholas Clive Goulding</i>	an Anglican Priest, retired  <i>Citizen and Farrier</i> <i>Citizen and Tax Adviser</i>	Winchester, Hampshire
<b>Andreas Papagiannis</b>  <i>John Knox</i> <i>Robert Harry Upton</i>	a Planning and Construction Company Manager <i>Citizen and Blacksmith</i> <i>Citizen and Fletcher</i>	Athens, Greece
<b>Stewart Anthony Shrank</b> <i>Danielle Benson</i> <i>Brian John Coleman</i>	a Solicitor, retired <i>Citizen and Furniture Maker</i> <i>Citizen and Farrier</i>	Barnet
<b>Neville Edward Percival Chamberlin</b> <i>Stanley Brown, QGM, TD</i> <i>Michael Richard Adkins</i>	a Malt Whisky Exporting Company Director <i>Citizen and Loriner</i> <i>Citizen and Water Conservator</i>	Sunderland, Tyne and Wear
<b>Anna Elizabeth Litherland</b> <i>Alexander John Cameron</i> <i>Deane, Deputy</i> <i>Robert Picton Seymour</i> <i>Howard, CC</i>	a Communications Consultant  <i>Citizen and Currier</i>  <i>Citizen and Gardener</i>	Hounslow
<b>Mark Carty</b> <i>Gerald Dawson Clarkson,</i> <i>CBE, QFSM</i> <i>Michael John Curtis</i>	a Local Government Director <i>Citizen and Firefighter</i>  <i>Citizen and Firefighter</i>	Egerton, Kent
<b>Tracey Kerly</b>  <i>Gerald Dawson Clarkson,</i> <i>CBE, QFSM</i> <i>Michael John Curtis</i>	a Head of Communities and Housing <i>Citizen and Firefighter</i>  <i>Citizen and Firefighter</i>	West Malling, Kent
<b>Edward Thomas Fullaway</b> <i>Maurice Geoffrey Court</i>  <i>Richard Martin Digby Stillwell</i>	a Shipping Company Director  <i>Citizen and Gold and Silver Wyre Drawer</i> <i>Citizen and Cordwainer</i>	Gidea Park, Havering
<b>David Thomas Williams</b> <i>Wendy Marilyn Hyde</i> <i>Archibald Duncan Galloway,</i> <i>OBE</i>	a Cobbler <i>Citizen and World Trader</i> <i>Citizen and Grocer</i>	Romford, Havering
<b>Jane Elizabeth Hodkinson</b> <i>Sylvia Doreen Moys, CC</i>  <i>Stephen Lambert Hodkinson</i>	a Married Woman  <i>Citizen and Chartered Secretary and Administrator</i> <i>Citizen and Plumber</i>	Harpenden, Hertfordshire
<b>John Harold Martin</b>  <i>Russell Bew</i> <i>Jeremy Richard Ffolliott</i> <i>Sorrell</i>	a Public Relations Consultant, retired <i>Citizen and Painter Stainer</i> <i>Citizen and Basketmaker</i>	Freshwater, Isle of Wight

<b>Tara Jane Nicholson</b> <i>Timothy Russell Hailes, Ald, JP.</i> <i>Thomas Sleigh, CC</i>	an Executive Assistant <i>Citizen and International Banker</i>	Surbiton, Surrey
<b>Edwin John Stevens, MBE</b> <i>Sir Michael Bear, Kt., Ald.</i> <i>Henry Llewellyn Michael Jones, Deputy</i>	a Housing Services Director <i>Citizen and Pavior</i> <i>Citizen and Common Councilman</i>	Barbican, in the City of London
<b>Mark Alexander John Thomson</b> <i>Richard Leslie Springford</i> <i>Richard Stuart Goddard</i>	a Master Mariner <i>Citizen and Carman</i> <i>Citizen and Shipwright</i>	St Mary's Island, Chatham, Kent
<b>Michael John Alec Newth</b> <i>Paul Stephen Hollebone</i> <i>Harold Ebenezer Piggott</i>	a Master Funeral Director, retired <i>Citizen and Chartered Accountant</i> <i>Citizen and Basketmaker</i>	Worthing, Sussex
<b>David Sutcliffe</b> <i>Timothy Russell Hailes, Ald, JP.</i> <i>Kenneth Edwin Ayers, MBE, Deputy</i>	a Tree Surgeon <i>Citizen and International Banker</i> <i>Citizen and Actuary</i>	Horsham, Sussex
<b>Dean William Watkinson</b> <i>Roger Arthur Holden</i> <i>Chadwick, CC</i> <i>Marianne Bernadette Fredericks, CC</i>	a Taxi Driver <i>Citizen and Bowyer</i> <i>Citizen and Baker</i>	Loughton, Waltham Forest
<b>Elie Abdulezer</b> <i>Matthew David Dupee</i> <i>John Knox</i>	a Retail Company Director <i>Citizen and Maker of Playing Cards</i> <i>Citizen and Blacksmith</i>	Camden
<b>Clio Lyndon Perraton-Williams</b> <i>Andrew Charles Parmley, Ald.</i> <i>Michael Robin Castle Sherlock</i>	a Classical Singer <i>Citizen and Musician</i> <i>Citizen and Skinner</i>	Greenwich
<b>Paul Hilton Williams</b> <i>Andrew Charles Parmley, Ald.</i> <i>Michael Robin Castle Sherlock</i>	a Police Officer, retired <i>Citizen and Musician</i> <i>Citizen and Skinner</i>	Brandy Wharf, Lincolnshire
<b>Perri Ahmet</b> <i>Barry John Frederick</i> <i>Theobald-Hicks</i> <i>Lawrence John Day</i>	an Engraver and Locksmith <i>Citizen and Scrivener</i> <i>Citizen and Maker of Playing Cards</i>	Orpington, Bromley
<b>Margaret Anne Brown</b> <i>Newton Keene Grant, OBE</i> <i>John Edward Haynes</i>	a Secretary, retired <i>Citizen and Loriner</i>	Esher, Surrey
<b>Raymond Edward Jones</b> <i>Wendy Mead, CC</i> <i>Patricia Agnes Campfield</i>	a Facilities Manager <i>Citizen and Glover</i> <i>Citizen and Wheelwright</i>	Blackheath, Greenwich
<b>Jennifer Florence Jones</b> <i>Wendy Mead, CC</i> <i>Patricia Agnes Campfield</i>	a Nurse, retired <i>Citizen and Glover</i> <i>Citizen and Wheelwright</i>	Blackheath, Greenwich
<b>James Nicholas Dovell Di Cicco</b> <i>Lorna Zaitzeff</i> <i>Antony John Zaitzeff</i>	an Osteopath <i>Citizen and Wax Chandler</i> <i>Citizen and Arbitrator</i>	Chelmsford, Essex
<b>Peter James Kane</b>  <i>Lorna Zaitzeff</i> <i>Antony John Zaitzeff</i>	a Substance Misuse Senior Services Manager <i>Citizen and Wax Chandler</i> <i>Citizen and Arbitrator</i>	Hackney
<b>Douglas John Avery</b>  <i>Ian Bates</i> <i>John Snellgrove</i>	a Transport Company Director, retired <i>Citizen and Launderer</i> <i>Citizen and Chartered Architect</i>	Leighton Buzzard, Bedfordshire



<b>James David Thomas</b> <i>John Alexander Smail John Donald Lunn</i>	a Casino President <i>Citizen and Distiller Citizen and Fan Maker</i>	Nanpantan, Leicestershire
<b>Karina Ninosca Thomas</b> <i>John Alexander Smail John Donald Lunn</i>	an Accountant <i>Citizen and Distiller Citizen and Fan Maker</i>	Nanpantan, Leicestershire
<b>Bruno Lodovico Riccardo Maini</b> <i>Geoffrey Douglas Ellis Wesley Val Hollands</i>	a Hospitality Company Director, retired <i>Citizen and Joiner Citizen and Loriner</i>	Langley, Berkshire
<b>Paul Graham Neale</b> <i>Donald Howard Coombe, MBE David Peter Coombe</i>	a Marine Insurance Broker <i>Citizen and Poulter Citizen and Poulter</i>	Colchester, Essex
<b>Eric George Evans, MBE</b>  <i>Ian Bates John Snellgrove</i>	a Mechanical and Electrical Engineer, retired <i>Citizen and Launderer Citizen and Chartered Architect</i>	Linslade, Bedfordshire
<b>Kenneth Francis Bailey</b> <i>Derek Thornton Graham John White</i>	an Insurance Broker <i>Citizen and Upholder Citizen and Butcher</i>	Benfleet, Essex
<b>Cedric Philip Wake</b>  <i>Jeffrey Richard Evans, Ald Douglas Gordon Fleming Barrow, Deputy</i>	an Educational Charity Chief Executive <i>Citizen and Shipwright Citizen and Shipwright</i>	Putney, Wandsworth
<b>Richard Michael Syred</b> <i>Patricia Josephine Huggins Anne Elizabeth Holden</i>	a Property Investor <i>Citizen and Basketmaker Citizen and Basketmaker</i>	Holborn, Camden
<b>Christine Ann Kalveks</b>  <i>Judy Senta Tayler-Smith Simon Jonathan Tayler- Smith</i>	a Writer and University Lecturer <i>Citizen and Upholder Citizen and Basketmaker</i>	Kensington, Kensington and Chelsea
<b>Rudolph John Kalveks</b> <i>Judy Senta Tayler-Smith Simon Jonathan Tayler- Smith</i>	a Management Consultant <i>Citizen and Upholder Citizen and Basketmaker</i>	Kensington and Chelsea
<b>Charles Ivan Kalveks</b>  <i>Judy Senta Tayler-Smith Simon Jonathan Tayler- Smith</i>	a Graduate Trainee <i>Citizen and Upholder Citizen and Basketmaker</i>	Kensington, Kensington and Chelsea
<b>Alexander Rudolph John Kalveks</b> <i>Judy Senta Tayler-Smith Simon Jonathan Tayler- Smith</i>	a Management Consultant <i>Citizen and Upholder Citizen and Basketmaker</i>	Kensington, Kensington and Chelsea
<b>Moreno Giuseppe Nando Corradi</b> <i>Geoffrey Douglas Ellis Wesley Val Hollands</i>	a Wine Bar Proprietor <i>Citizen and Joiner Citizen and Loriner</i>	Totteridge, Barnet
<b>Cleo Rocos</b>  <i>Timothy Russell Hailes, Ald, JP. John Alexander Smail</i>	a Drinks Company Chief Executive <i>Citizen and International Banker Citizen and Distiller</i>	Tower Hamlets
<b>Bernice Karen Church</b> <i>John Alexander Smail John Donald Lunn</i>	a Bank Supervisor, retired <i>Citizen and Distiller Citizen and Fan Maker</i>	Hornchurch, Havering
<b>Frederik Dag Arfst Paulsen</b> <i>Roger Gifford, Ald. William Barrie Fraser, OBE, Deputy</i>	a Pharmaceutical Company Chairman <i>Citizen and Musician Citizen and Gardener</i>	Lausanne, Switzerland



<b>Anthony Charles Hunt</b> <i>John William Fletcher, CC Stanley Ginsburg, Deputy</i>	a Licensed Black Cab Driver <i>Citizen and Common Councilman Citizen and Glover</i>	Wandsworth
<b>Camilla Nadine Hempleman-Adams</b> <i>Roger Gifford, Ald. William Barrie Fraser, OBE, Deputy</i>	a Student  <i>Citizen and Musician Citizen and Gardener</i>	Box, Wiltshire
<b>Alicia Nicole Hempleman-Adams</b> <i>Roger Gifford, Ald. William Barrie Fraser, OBE, Deputy</i>	a Student  <i>Citizen and Musician Citizen and Gardener</i>	Box, Wiltshire
<b>Amelia Gabrielle Hempleman-Adams</b> <i>Roger Gifford, Ald. William Barrie Fraser, OBE, Deputy</i>	a Student  <i>Citizen and Musician Citizen and Gardener</i>	Box, Wiltshire
<b>Regina Magdalena Fischer</b> <i>John Alexander Smail Gordon Mark Gentry</i>	a Social Secretary  <i>Citizen and Distiller Citizen and Baker</i>	Lambeth
<b>Daniel Peter Large</b>  <i>Charles Edward Lord, OBE, JP, CC Simon Walsh</i>	a Campaign Strategist  <i>Citizen and Broderer Citizen and Glover</i>	Fulham, Hammersmith and Fulham
<b>Hamish Christopher Wilson</b> <i>Frederick Joseph Trowman Anthony Sharp</i>	a Veterinary Surgeon  <i>Citizen and Loriner Citizen and Loriner</i>	Stoke Pound, Bromsgrove, Worcestershire
<b>Rosemary Anne Wilson</b>  <i>Frederick Joseph Trowman Anthony Sharp</i>	a Married Woman  <i>Citizen and Loriner Citizen and Loriner</i>	Stoke Pound, Bromsgrove, Worcestershire
<b>Jonathan Beasley</b> <i>Alexander Bain Stewart, CC</i>	a City of London Police Officer <i>Citizen and Gold and Silver Wyre Drawer</i>	Chelmsford, Essex
<b>Lord Rogers of Riverside, Richard George Rogers</b> <i>Michael Welbank, MBE, Deputy John Richard Owen-Ward, MBE, Deputy</i>	an Architect  <i>Citizen and Chartered Architect Citizen and Mason</i>	Kensington, Kensington and Chelsea
<b>Clare Connolly</b> <i>Timothy Russell Hailes, Ald, JP. Thomas Sleigh, CC</i>	a Solicitor <i>Citizen and International Banker Citizen and Common Councilman</i>	Crouch End, Haringey
<b>The Honourable Edward Herwald Ramsbotham</b> <i>Sir John Stuttard, Kt., Sir Gavyn Arthur, Kt.</i>	a Riparian Owner  <i>Citizen and Glazier Citizen and Gardener</i>	Oxenwood, Wiltshire
<b>Thomas Joseph Mace Archer Mills</b> <i>Mervyn Doreen Redding Lawrence John Day</i>	an Author  <i>Citizen and Basketmaker Citizen and Maker of Playing Cards</i>	Holborn, Camden
<b>Lauretta Jayne Williams</b> <i>Andrew Charles Parmley, Ald. Michael Robin Castle Sherlock</i>	a Vice Principal, retired <i>Citizen and Musician Citizen and Skinner</i>	Brandy Wharf, Lincolnshire

<b>Andrew David Wild</b> <i>John Tomlinson, CC</i> <i>Catherine Sidony</i> <i>McGuinness, Deputy, CC</i>	a Chartered Surveyor <i>Citizen and Fletcher</i> <i>Citizen and Solicitor</i>	Shortlands, Bromley
<b>Edward Reynolds Byron</b>	an Architect, retired	Royal Leamington Spa, Warwickshire
<i>Frederick Joseph Trowman</i> <i>Anthony Sharp</i>	<i>Citizen and Loriner</i> <i>Citizen and Loriner</i>	
<b>Christine Byron</b>	a Teacher, retired	Royal Leamington Spa, Warwickshire
<i>Anthony Sharp</i> <i>Frederick Joseph Trowman</i>	<i>Citizen and Loriner</i> <i>Citizen and Loriner</i>	
<b>Ian Michael Benjamin</b> <i>Timothy John Delano Cunis</i> <i>Richard Lawton Cunis</i>	a Solicitor <i>Citizen and Merchant Taylor</i> <i>Citizen and Mercer</i>	Acton, Ealing
<b>Priscilla Ann Benny</b> <i>Timothy Russell Hailes, Ald,</i> <i>JP.</i> <i>Thomas Sleigh, CC</i>	a School Improvement Advisor <i>Citizen and International Banker</i>  <i>Citizen and Common Councilman</i>	Islington
<b>Anthony John Hardy</b>	a Shipping Group Chairman, retired <i>Citizen and Musician</i>	Pokfulam, Hong Kong
<i>Andrew Charles Parmley,</i> <i>Ald.</i> <i>Gordon Warwick Haines, Ald.</i>	<i>Citizen and Needlemaker</i>	
<b>Paul Wells</b> <i>James Anthony Atkins</i> <i>Alan Leonard Gilbertson</i>	a Senior Operations Manager <i>Citizen and Pavior</i> <i>Citizen and Pavior</i>	Stevenage, Hertfordshire
<b>Deborah Joy Gale</b> <i>Sylvia Doreen Moys, CC</i>	a Company Secretary <i>Citizen and Chartered Secretary and</i> <i>Administrator</i> <i>Citizen and Plumber</i>	Hothersall, Lancashire
<i>Paul Nicolas Gale</i>		
<b>Professor Sir David</b>	an Accountant	North Berwick, East Lothian
<b>Philip Tweedie</b> <i>Roger Arthur Holden</i> <i>Chadwick, CC</i> <i>Jeremy Paul Mayhew, CC</i>	<i>Citizen and Bowyer</i>  <i>Citizen and Loriner</i>	
<b>Ian Douglas Ball</b> <i>Roger Arthur Holden</i> <i>Chadwick, CC</i> <i>Jeremy Paul Mayhew, CC</i>	an Accountant <i>Citizen and Bowyer</i>  <i>Citizen and Loriner</i>	Camden
<b>Andrew Grant Cobb</b> <i>Ian Ronald Evans Williams</i> <i>Michael Ernest Garrett, MBE</i>	a Surgeon <i>Citizen and Marketor</i> <i>Citizen and Water Conservator</i>	Epsom, Surrey
<b>Faruk Ahmed</b>	The Lord Mayor of Bristol	Clifton, Bristol
<b>Chowdhury</b> <i>Daniel Edward Doherty</i> <i>Bryan David Foss</i>	<i>Citizen and Marketor</i> <i>Citizen and Marketor</i>	
<b>Mehmet Kurt</b>	a Property Company Chairman  <i>Citizen and Musician</i> <i>Citizen and Cook</i>	Chelsea Harbour, Kensington and Chelsea
<i>Roger Gifford, Ald.</i> <i>David Andrew Harry</i> <i>McGregor Smith, CBE</i>		



## Report – Policy & Resources Committee

in consultation with Common Hall

### Bill for an Act of Common Council: Introduction of qualifications for the office of Auditor of Chamberlain's and Bridgemasters' Accounts and Regularising the electoral timetable and processes for the Offices elected by the Livery

*To be presented on Thursday 16<sup>th</sup> January 2014*

*To the Right Honourable The Lord Mayor, Aldermen and Commons of the City of London in Common Council assembled.*

#### **Summary**

On 5th December 2013, the Court of Common received this Bill for an Act of Common Council for its first and second reading and this submission would represent the third and final reading. You will recall that the purpose of the Bill is to introduce certain qualifications and procedures for election to the office of Auditor of Chamberlain's and Bridgemasters' Accounts. It also proposes that it would be beneficial to regularise the electoral timetable and process for nomination to all of the 'other offices' elected by the Livery – Bridgemasters and Aleconners as well as Auditors.

Having an established process for all the elections on Midsummer Day is good practice, and will provide clarity for any candidates.

The Bill has now been settled by the Recorder of London prior to its submission to this Honourable Court.

#### **Recommendation**

We recommend that the Bill for an Act of Common Council be approved in the form attached.

## **Main Report**

### **Background**

1. Common Hall is the largest gathering of citizens for any municipal purpose in the City of London. The City of London is unique in evolving a separate electoral assembly, Common Hall, for the choice of important municipal officers, including the Lord Mayor and Sheriffs.
2. Each Midsummer Day, Liverymen of at least one year's standing assemble at Common Hall to elect two Sheriffs and 'other officers' (namely Bridgemasters, Aleconners and Auditors).
3. In proposing the introduction of certain qualifications for those in nomination for the office of Auditor in 2012 it also became apparent that there was no documented or logical electoral timetable/ process for the election of 'other officers' by Common Hall. It was proposed at that time that these matters be rectified via an Act of Common Council which, if approved, would come into force for the election or re-appointment of those officers in Common Hall in 2014.
4. Officers also undertook to consider one aspect of the current electoral timetable for Shrieval elections i.e. whether there is any merit in retaining the two different nomination periods.

### **Nomination period for Shrieval candidates**

5. The current electoral timetable in place for the Sheriffs differs for the Aldermanic and the non-Aldermanic Sheriff. The period for nominations for the Aldermanic Sheriff is from 14 February – 14 April and nominations for the non-Aldermanic Sheriff have to be received by 1 May.
6. The dates have always differed. The Lord Mayor has the right to nominate not just the Aldermanic Sheriff but also the non-Aldermanic Sheriff. Such nominations must be made by 14 April. The reality, in recent years, has been for the Court of Aldermen, through its appraisal process, to announce in the Summer of the preceding year, which Alderman it will support as Sheriff; i.e. whilst the nomination is in the Lord Mayor's name, the decision is much broader. Although the Lord Mayor has the right to nominate the non-Aldermanic Sheriff, that right has not been exercised in recent years but if it were to be, that two week window, between 14 April and 1 May, still gives the Livery the opportunity to bring forward another non-Aldermanic candidate; a right which should be retained.

### **Proposals for the electoral framework for 'other officers'**

7. It makes sense to bring dates together as far as is practicable and the best way forward is for the electoral timetable for all 'other officers' appointed by Common Hall (Bridgemasters', Ale Connors and Auditors) to now be 'tied' as far as possible to that of the non-Aldermanic Sheriff.

### Nomination Period

8. It is also proposed that the opening date for the election nomination of all 'other officers' appointed by Common Hall should be the same as it currently is for the Shrieval elections (i.e. from 14 February each year).
9. In terms of closing dates, it is proposed that the slightly extended closing date of 1 May for nominations to the office of non-Aldermanic Sheriff be adopted for all 'other officers' (AleConners, Bridgemasters and Auditors).

### Period for Withdrawals

10. We propose that there should be a one week period for withdrawals by candidates following the closing date for nominations for 'other officers' and that this should run from 1 May – 8 May each year to mirror the arrangements for Shrieval elections.

### Auditor Qualifications

11. As Members may recall, last year, Common Hall approved the introduction of appropriate qualifications for those persons nominated to serve as an Auditor of the Chamberlain's and Bridgemasters' Accounts (Auditor). Nominations from prospective candidates will not be accepted until they have submitted a signed declaration confirming that they meet the new criteria and have supplied any additional evidence required. This is to ensure that candidates now represent auditing firms with sufficient resilience to carry out the audit – previously, no qualifications were required.

12. Those criteria are to:

- (i) meet all legal requirements to carry out an audit of the Chamberlain's and Bridgemasters' Accounts;
- (ii) have experience of auditing –
  - (a) organisations employing over 3,000 staff; or
  - (b) organisations with turnovers in excess of £500million and reserves in excess of £1billion; or
  - (c) public authorities; or
  - (d) charities with turnovers in excess of £40million; and
- (iii) have signed or be willing to sign an engagement letter in the standard form.

It is also proposed that the firm represented by every Auditor must:

- (iv) have generated audit fees of at least £5million in its last accounting year.

13. The Audit Review Panel has reviewed the criteria and suggested two minor changes to ensure representation by candidates of sufficient audit experience and expertise, but also to draw the net widely enough to ensure a continuing balance between candidates from larger and smaller audit firms. The changes they have suggested are:

- to clarify that the experience referred to at 12 (ii) above is that of the firm; and
- that 12 (ii) (c) be extended to include public sector organisations as well as public authorities.

The attached bill reflects these adjustments.

14. Auditors would have to meet the criteria throughout their term of office and failure to do so would result in their office being vacated and a replacement being elected at Common Hall for the remainder of the term.

15. In terms of qualifications for 'other offices' none currently exist, except to say that all those nominated for the office of Bridgemaster or AleConnor are required to be Freemen of the City of London.

16. Whilst qualifications for the work of Auditors are needed, we do not believe that the same can be said for those nominated as Bridgemasters or Aleconnors; both posts are honorary and even the ceremonial duties are very limited in the present day.

#### Advertisement

17. The Act of Common Council, 21 January 1932, requires the Town Clerk, within 7 days, of the 8<sup>th</sup> May to 'publish in the London Gazette the names and addresses and descriptions of all candidates in nomination for the office of Sheriff'. At present and in practice, we publish notice of the Election of Sheriffs not only in the London Gazette, but also in the Evening Standard, The Times and The Telegraph. We consider this is an expensive and unnecessary and that only those in nomination for the office of Sheriff should continue to be advertised within the London Gazette (the official newspaper of record for the UK). There are other, arguably more effective, ways to publish the candidates elsewhere. We propose that the names of those candidates in nomination for all offices elected by Common Hall be advertised within the Livery Committee Briefing, which is circulated to all Livery Company Clerks, all Common Councilmen and Aldermen. Nominations would also be placed on the Corporation website.

18. All nominations should be submitted to the Town Clerk (whose Electoral Services Office would process them, as is current practice).

#### Nomination Forms

19. Nomination Forms for election to all of the offices appointed by Common Hall would, in future, be made available from the Town Clerk's Electoral Services Office.

20. Nomination forms for each of the 'other officers' shall be subject to any amendments authorised by the Town Clerk from time to time in consultation with the Chamberlain and the Comptroller & City Solicitor.

### The Election / Poll

21. There have not been contests for the 'other offices' in memory but, were there ever to be one, the process should be the same as that agreed for Sheriffs, i.e. with candidates being expected to respect the result of a show of hands in Common Hall (rather than exercise a right to demand a poll).

### **Conclusion**

22. At present no qualifications are required of the elected Auditors and the firms that they represent. The contract for the audit of non-City Fund accounts must be awarded to one of the elected Auditors but, at present, in the absence of criteria, there is no guarantee that any of them will be competent to carry out the lead audit function. Likewise there is no guarantee that the remaining Auditors will have the appropriate skills and experience to effectively review the procedures adopted. This cannot be seen as good practice. However, it is possible to modernise the existing arrangements and bring them more in line with arrangements elsewhere, whilst complying with the existing legal framework and retaining a panel of Auditors. Common Hall has chosen to introduce appropriate qualifications for those wishing to be elected to the office of Auditor, and to continue in that office.
23. Having an established process, and one for all the elections of Midsummer Day, is simply to introduce what we see as good practice. Furthermore, an electoral timetable and prescribed processes for the election of Auditors, and all other Common Hall elections, where little provision currently exists, will, by Act of Common Council, provide candidates with clarity around what they have to do and by when.

### **Appendices**

- Appendix A – Bill for an Act of Common Council

All of which we submit to the judgement of this Honourable Court.

DATED this 21st day of November 2013

SIGNED on behalf of the Committee.

Mark Boleat  
**Chairman**

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**To be considered at the Court of Common Council**

**2013**

**A BILL**

For an Act of Common Council to –

Provide for the nomination and election of Auditors of Chamberlain's and Bridgemasters' Accounts, Bridgemasters and Ale Conners of this City and repeal any previous conflicting provisions regulating or enforcing the same.

**WHEREAS:-**

- (1) From time immemorial there has existed and still exists in the City of London ("the City") a Common Council consisting of the Lord Mayor, Aldermen and Commons in Common Council assembled and the Common Council have made, passed, ordained and established divers Acts, Ordinances, Rules, Orders and Regulations for the regulation and good government of the City and its Liberties as to them from time to time has been found necessary and expedient;
- (2) At present no formal qualifications are required to stand for election to serve as an Auditor of Chamberlain's and Bridgemasters' Accounts, despite the fact that the audit of the accounts of larger charities is governed by certain statutory requirements, and any audit of the City's Cash and Bridge House Estate funds requires significant expertise, experience and operational capacity, and similar skills and experience are required to effectively review the procedures adopted for the audit as part of the review panel;
- (3) Common Hall has resolved that appropriate ongoing qualifications should be introduced for Auditors of Chamberlain's and Bridgemasters' Accounts, addressing legal competence to carry out the audit; experience of auditing large organisations, public organisations or charities; willingness to sign up to standard terms of appointment; and financial independence;
- (4) It is desirable to regularise the electoral timetable and processes for the election of Auditors of Chamberlain's and Bridgemasters' Accounts, as well as other offices elected by the Livery where there is at present little or no known provision, being Bridgemasters and Ale Conners;
- (5) His late Majesty King Edward the Third by his Charter made and granted to the City in the fifteenth year of his reign afterwards confirmed and ratified by Parliament did (amongst other things) grant that if any customs in the City before that time obtained and used were in any part hard or defective or any things in the City newly arising in which no remedy had been ordained should need amendment the Mayor and Aldermen of the City and their successors with the assent of the Commonalty of the City might put and ordain thereto fit remedy as often as it should seem expedient to them so that such ordinance should be profitable to the King and to the citizens and to all other liege subjects resorting to the City and agreeable also to reason and good faith.

**BE IT THEREFORE and IT IS HEREBY ENACTED ORDAINED AND ESTABLISHED** by the Right Honourable the Lord Mayor, the Right Worshipful the Aldermen and the Commons of the City of London in Common Council assembled and the authority of the same **AS FOLLOWS:**

### **Interpretation**

1. In this Act –

“Auditor” means an Auditor of Chamberlain’s and Bridgemasters’ Accounts;

“General Day of Election” means the general day of election of Auditors, Bridgemasters and Ale Conners of this City as provided for by section 3 of this Act, or such other day as may be appointed therefor under section 3 of the Act of 1932;

“The Act of 1932” means an Act of Common Council made and passed on the 21st day of January 1932 and entitled “*An Act of Common Council to consolidate and amend the law relating to the nomination and election of Sheriffs of the City of London*” as amended.

### **Right of Common Hall to elect**

2. The right of electing persons as Auditors, Bridgemasters and Ale Conners of this City shall from henceforth for ever as heretofore be vested in the Liverymen of the several Companies of this City to be for that purpose from time to time assembled in the Common Hall of the Guildhall of this City.

### **General day of election**

3. The general day of election of Auditors, Bridgemasters and Ale Conners of this City shall be yearly the twenty-fourth day of June, unless the same shall happen to be a Saturday or a Sunday, in which case the election shall be on the Monday then next following. Provided always that in accordance with section 3 of the Act of 1932 it shall be lawful for the Court of Common Council in any year for any special cause to appoint a day for the election of Sheriffs and other Officers usually elected on Midsummer Day by the Liverymen of the several Companies of this City in Common Hall assembled other than that above mentioned, by a formal Resolution of the Court.

### **Casual vacancies**

4. Whenever any person elected as an Auditor, Bridgemaster or Ale Conner of this City shall in any instance refuse or neglect to conform to this Act or shall die or resign or be removed or discharged from the said office, or from his respective election thereto or whenever there shall be just cause to proceed to a new election, then and in every such case it shall be lawful for the Liverymen of the said several Companies of this City duly assembled as aforesaid to proceed to and make such new election at such day and time as by the Court of Lord Mayor and Aldermen of this City for the time being may be ordered and in such case the provisions of this Act which apply to the General Day of Election shall apply to such an election but with any references as to dates amended accordingly.

### **Number of office holders and term of office**

5. (1) Two Bridgemasters and four Ale Conners shall be elected on the General Day of Election, together with as many Auditors as there are vacancies to be filled.
- (2) The number of Auditors and their term of years in office shall continue to be determined by resolution of the Liverymen of the several Companies of this City in Common Hall assembled.
- (3) Auditors and Ale Conners shall hold office from the point of their election and Bridgemasters shall hold office from the point of their admission in the Court of Lord Mayor and Aldermen next following their election.
- (4) Any Auditor, Bridgemaster or Ale Conner shall, unless he resigns his office or it otherwise becomes vacant, cease to hold office from the point at which a successor takes office in accordance with subsection (3) above.

### **Nomination of candidates**

6. (1) Subject to section 7 below, any two or more of the Liverymen of the several Companies of this City, having a right to vote at the election of Auditors, Bridgemasters and Ale Conners of this City, shall be entitled to nominate, in writing, any person being free of this City for election to the said offices on the General Day of Election in any year. Every such nomination in writing shall be in the form prescribed by subsection (2) below and shall be delivered to the Town Clerk of this City between the fourteenth day of February and the first day of May in such year.
- (2) Every nomination in writing for the office of Auditor, Bridgemaster or Ale Conner shall be in the respective form set out in the Schedule to this Act. Provided that the Town Clerk in consultation with the Comptroller & City Solicitor shall be authorised to amend the forms set out in the Schedule to this Act as and when it is necessary to do so.

### **Additional qualifications for the office of Auditor**

7. (1) Every candidate for the office of Auditor and the firm that they represent shall in addition satisfy the requirements of this section.
- (2) Candidates for the office of Auditor and the firms that they represent shall meet all legal requirements to carry out an audit of the Chamberlain's and Bridgemasters' Accounts.
- (3) The firm represented by every candidate for the office of Auditor shall have experience of auditing –
  - (a) organisations employing over 3,000 staff; or
  - (b) organisations with turnovers in excess of £500million and reserves in excess of £1billion; or
  - (c) public authorities or other public sector organisations; or

- (d) charities with turnovers in excess of £40million.
- (4) Candidates for the office of Auditor and the firms that they represent shall have signed or be willing to sign an engagement letter in the standard form.
- (5) The firm represented by every candidate for the office of Auditor shall have generated fees of at least £5million in its last accounting year.
- (6) For the purposes of this section, a candidate for the office of Auditor represents a firm where –
  - (a) the firm is a company and he is a director of that company; or
  - (b) the firm is a partnership and he is a partner in that partnership; or
  - (c) the firm is a limited liability partnership and he is a member of that limited liability partnership; or
  - (d) he is an employee of that firm.
- (7) For the purposes of subsection (4), an engagement letter in the standard form means the letter and associated terms most recently approved by an appropriate Committee of the Common Council of this City, subject to any amendments authorised by the Town Clerk from time to time in consultation with the Chamberlain and Comptroller & City Solicitor.
- (8) In the case of prospective candidates for the office of Auditor, the nomination paper submitted in accordance with section 6 above shall include a declaration signed by the person being nominated confirming that both he and the named firm he represents meet the qualification criteria set out in this section and a prospective candidate shall, on the request of the Town Clerk, supply any additional evidence that the Town Clerk may reasonably require to verify the truth of his declaration. No person shall be deemed to be validly nominated for the office of Auditor unless the requirements of this subsection are met during the nomination period specified in section 6 above.
- (9) The Town Clerk may require a serving Auditor on reasonable notice to deliver a fresh declaration signed by said Auditor in the form set out in the Schedule to this Act or as modified in accordance with section 6 above confirming that both he and the named firm he represents continue to meet the qualification criteria set out in this section, and to supply any additional evidence that the Town Clerk may reasonably require to verify the truth of that declaration. If an Auditor fails to comply with the requirements of this subsection the Town Clerk may remove him from office by giving him a written notice to that effect and in such circumstances the resulting vacancy shall be filled on the next General Day of Election, or at any earlier election held in accordance with section 4 above, and the person elected in place of the removed Auditor shall, unless he resigns his office or it otherwise becomes vacant, hold office for the remainder of the relevant term.

### **Notification of nomination**

8. The Town Clerk of this City shall immediately after the first day of May in every year transmit to every candidate nominated as aforesaid for election to the office of Auditor, Bridgemaster or Ale Conner of this City in such year a notification in writing of his nomination and of the statutory provisions relating to the maximum amount of expenditure permitted by or on behalf of a candidate in such election and of the penal provisions applicable by statute to any candidate or agent of the candidate who knowingly exceeds such maximum amount of expenditure.

### **Withdrawal of nomination**

9. It shall be lawful for any candidate nominated as aforesaid for election to the office of Auditor, Bridgemaster or Ale Conner of this City on the General Day of Election in any year to withdraw his name from nomination by giving a written notice to that effect, signed by him, addressed to the Town Clerk of this City, to be received by him on or before the eighth day of May in such year.

### **Publication of nominations**

10. The Town Clerk of this City shall within seven clear days next after the eighth day of May in each year, or as soon thereafter as practicable, publish by such means as he thinks best calculated to afford information to the Liverymen of the several Companies of this City, having a right to vote at the election of Auditors, Bridgemasters and Ale Conners of this City, the names and addresses and descriptions of all candidates nominated as aforesaid for election as Auditors, Bridgemasters and Ale Conners of this City in such year who shall not have withdrawn his or their names in accordance with the provisions of section 9 above. Such names, addresses and descriptions shall be published in alphabetical order. The Town Clerk shall also publish as aforesaid the date and place fixed for holding the elections of Auditors, Bridgemasters and Ale Conners of this City.

### **Nominations in Common Hall**

11. On the General Day of Election in any year, such persons only as shall have been validly nominated on or before the first day of May in that year and who shall not have withdrawn their names from nomination under the provisions contained in section 9 above, shall be eligible for election as Auditors, Bridgemasters or Ale Conners of this City by the Liverymen of the several Companies of this City in Common Hall assembled for such election. Provided always that if fewer persons are eligible for election to a particular aforementioned office than there are vacancies to be filled it shall be lawful for any two or more of the said Liverymen in Common Hall assembled as aforesaid and having a right of voting at such election then and there to nominate a person or persons being free of this City for election to the said office except that in the case of an election to the office of Auditor the person or persons nominated shall also meet the qualification criteria set out in section 7 above.

### **Order in which names of candidates are to be put to Common Hall**

12. At all assemblies of the Liverymen of the several Companies of this City in the said Common Hall for the election of Auditors, Bridgemasters and Ale Conners of this City the names of the persons eligible for election shall be put to the said Liverymen then and there

present in the same order in which they were published under the provisions of section 10 above.

### **Ballot by show of hands and withdrawal before poll**

13. If, on the General Day of Election, an election is contested, the Common Serjeant, or, in his absence, another of the Law Officers, shall call for a ballot by show of hands. The Common Serjeant, or the Law Officer as aforesaid, shall appoint scrutineers to conduct a count of the show of hands. The Common Serjeant, or the Law Officer as aforesaid, shall, immediately the result of the counting is known, announce the number of votes cast for each candidate. Should a poll then be demanded by one of the candidates or two or more of the electors, any candidate in nomination may withdraw his candidature before such demand is granted.

### **Repeal**

14. All former Acts, Orders and Ordinances regulating or enforcing the nomination or election of Auditors, Bridgemasters or Ale Conners of this City so far as the same conflict with any provisions of this Act are hereby repealed. Provided always that this repeal shall not affect anything done or any proceeding taken under any enactment hereby repealed.

### **Commencement**

15. The provisions of this Act shall come into force on the day on which it is made and passed as an Act of Common Council.

**NOMINATION PAPER****CITY OF LONDON**Election of **Auditor of Chamberlain's and Bridgemasters' Accounts**

Midsummer's Day 20...

We, the undersigned, being Liverymen of the City of London having a right to vote at elections in Common Hall **DO HEREBY NOMINATE** the undermentioned person as a candidate at the said election.

<b>Surname</b>	
<b>Other names in full</b>	
<b>Home address in full</b>	
<b>Description</b> <i>(Not more than six words)</i>	
<b>Date of Freedom of the City</b> <i>(Day/Month/Year)</i>	

	<b>Signature</b>	<b>Full name (in CAPITALS)</b>	<b>Electoral number on Common Hall register</b>
<b>Proposer</b>			
<b>Secunder</b>			

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

*Note: The person being nominated must sign the declaration overleaf.*

**Declaration of qualifications to hold the office of Auditor of Chamberlain's and  
Bridgemasters' Accounts**

I (Full name) \_\_\_\_\_

of (Home Address) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

hereby confirm that:

I and the firm that I represent meet all legal requirements to carry out an audit of the Chamberlain's and Bridgemasters' Accounts;

The firm that I represent has experience of auditing –

- (a) organisations employing over 3,000 staff; or
- (b) organisations with turnovers in excess of £500million and reserves in excess of £1billion; or
- (c) public authorities or other public sector organisations; or
- (d) charities with turnovers in excess of £40million;

I and the firm that I represent have signed or are willing to sign an engagement letter in the standard form<sup>1</sup>;

The firm that I represent generated fees of at least £5million in its last accounting year.

Name of firm that I represent<sup>2</sup> \_\_\_\_\_

Address of firm that I represent \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Candidate's signature \_\_\_\_\_

Signed in the presence of:-

Witness's signature \_\_\_\_\_

Witness's home address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Note 1: An example of an engagement letter in the standard form is available on request.**

**Note 2: For the purposes of this declaration you represent a firm where –**

- (a) the firm is a company and you are a director of that company; or**
- (b) the firm is a partnership and you are a partner in that partnership; or**
- (c) the firm is a limited liability partnership and you are a member of that limited liability partnership; or**
- (d) you are an employee of that firm.**



# NOMINATION PAPER

## CITY OF LONDON

Election of **Bridgemaster**

Midsummer's Day 20...

We, the undersigned, being Liverymen of the City of London having a right to vote at elections in Common Hall **DO HEREBY NOMINATE** the undermentioned person as a candidate at the said election.

<b>Surname</b>	
<b>Other names in full</b>	
<b>Home address in full</b>	
<b>Description</b> <i>(Not more than six words)</i>	
<b>Date of Freedom of the City</b> <i>(Day/Month/Year)</i>	

	<b>Signature</b>	<b>Full name (in CAPITALS)</b>	<b>Electoral number on Common Hall register</b>
<b>Proposer</b>			
<b>Secunder</b>			

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

# **NOMINATION PAPER**

## **CITY OF LONDON**

Election of **Ale Conner**

Midsummer's Day 20...

We, the undersigned, being Liverymen of the City of London having a right to vote at elections in Common Hall **DO HEREBY NOMINATE** the undermentioned person as a candidate at the said election.

<b>Surname</b>	
<b>Other names in full</b>	
<b>Home address in full</b>	
<b>Description</b> <i>(Not more than six words)</i>	
<b>Date of Freedom of the City</b> <i>(Day/Month/Year)</i>	

	<b>Signature</b>	<b>Full name (in CAPITALS)</b>	<b>Electoral number on Common Hall register</b>
<b>Proposer</b>			
<b>Secunder</b>			

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_



## Report – Planning and Transportation Committee

### Adoption of the West Smithfield Area Enhancement Strategy

*To be presented on Thursday, 16<sup>th</sup> January 2014*

*To the Right Honourable The Lord Mayor, Aldermen and Commons  
of the City of London in Common Council assembled.*

#### **SUMMARY**

1. This report seeks approval for the adoption of the revised West Smithfield Area Enhancement Strategy and advises on the recently undertaken public consultation and the revisions to the Strategy.
2. The Strategy will -
  - a) provide improvements to the public realm in the West Smithfield Area to benefit the increasing number of pedestrians using the streets and new developments including Crossrail;
  - b) provide an improved, accessible and functional pedestrian environment that would support the projected increased pedestrian footfall, whilst supporting the activity of Smithfield meat market and the continuing operation of St Bart's Hospital; and
  - c) identify current issues and future demands and set out a framework for addressing these within the context of existing policies and guidance.
3. The Strategy sets out a delivery plan which identifies projects arising from the Strategy prioritises them and indicates the funding strategy for delivery.
4. A copy of the revised West Smithfield Area Enhancement Strategy has been made available in the Members' Reading Room.

#### **RECOMMENDATION**

That the West Smithfield Area Enhancement Strategy be adopted.

## MAIN REPORT

### Background

1. The preparation of an area strategy for West Smithfield was instigated as a result of the proposed development of Bartholomew Close and the construction of Crossrail Farringdon East Station. The adoption of an area based approach was needed in order to respond to the changing nature of the area and accommodate future growth.
2. The City has adopted several area enhancement strategies as mechanisms for delivering public realm improvements in areas where significant change was required.
3. In July 2012, your Planning and Transportation Committee approved the draft West Smithfield Area Enhancement Strategy to be issued for public consultation which took place from October to December 2012. The consultation targeted relevant stakeholder groups using a variety of methods. The main comments received related to pedestrian and street environment, cycling, spaces and greenery, vehicle movement and servicing and the historic character of the area.
4. The proposals have been grouped into high, medium and low priorities in the delivery plan for the strategy. Specifically, the Strategy covers the following themes –
  - Accessibility and Movement
  - Public Spaces
  - Planting and Open Spaces
  - Courtyards and Alleys
5. It is anticipated that funding for these will be from external sources such as Section 106, Section 278, the Community Infrastructure Levy (CIL) and Transport for London. If the strategy is approved, delivery of the schemes will be initiated through the project gateway process broadly in the priority order set out.
6. Funding totalling £7m has been identified towards enhancement projects for the Strategy area through existing Section 106 and Section 278 agreements related to the Bartholomew Close development.

### Conclusion

7. The West Smithfield Area Enhancement Strategy has been revised in response to the public consultation feedback to ensure the document reflects the needs of the City community. It sets out a Delivery Plan which identifies the projects arising from the strategy, prioritises them and indicates the funding strategy for delivery. Your Committee recommends the adoption of the Enhancement Strategy.

All of which we submit to the judgement of this Honourable Court.

DATED this 26<sup>th</sup> day of November 2013.

SIGNED on behalf of the Committee.

**DEPUTY MICHAEL WELBANK, M.B.E.**  
Deputy Chairman



## Report – Planning and Transportation Committee

### Surplus Arising for On-Street Parking 2012/13 and Utilisation of Accrued Surplus

*To be presented on Thursday, 16th January 2014*

*To the Right Honourable The Lord Mayor, Aldermen and Commons  
of the City of London in Common Council assembled.*

#### **SUMMARY**

The City of London, in common with other London authorities, is required to report to the Mayor for London on action taken in respect of any deficit or surplus in its On-Street Parking Account for a particular financial year.

The purpose of this report is to inform Members that:

- the surplus arising from on-street parking activities in 2012/13 was £4.227m;
- a total of £4.164m, was applied in 2012/13 to fund approved projects; and
- the surplus remaining on the On-Street Parking Reserve at 31st March 2013 was £14.500m, which is wholly allocated towards the funding of various highway improvements and other projects over the medium term.

#### **RECOMMENDATION**

That the contents of the report be noted and that approval be given to its submission to the Mayor of London.

This report will be considered by your Planning and Transportation Committee on 14 January 2014 therefore any issues will be verbally reported at the Court meeting.

## MAIN REPORT

### Background

1. Section 55(3A) of the Road Traffic Regulation Act 1984 (as amended), requires the City of London and other London authorities (i.e. other London Borough Councils and Transport for London), to report to the Mayor for London on action taken in respect of any deficit or surplus in their On-Street Parking Account for a particular financial year.
2. Legislation provides that any surplus not applied in the financial year may be carried forward. If it is not to be carried forward, it may be applied by the City for one or more of the following purposes:
  - a) making good to the City Fund any deficit charged to that Fund in the 4 years immediately preceding the financial year in question;
  - b) meeting all or any part of the cost of the provision and maintenance by the City of off-street parking accommodation whether in the open or under cover;
  - c) the making to other local authorities, or to other persons, of contributions towards the cost of the provision and maintenance by them, in the area of the local authority or elsewhere, of off-street parking accommodation whether in the open or under cover;
  - d) if it appears to the City that the provision in the City of further off-street parking accommodation is for the time being unnecessary or undesirable, for the following purposes, namely:
    - (i) meeting costs incurred, whether by the City or by some other person, in the provision or operation of, or of facilities for, public passenger transport services;
    - (ii) the purposes of a highway or road improvement project in the City;
    - (iii) meeting the costs incurred by the City in respect of the maintenance of roads at the public expense; and
    - (iv) for an “environmental improvement” in the City.
  - e) meeting all or any part of the cost of the doing by the City in its area of anything which facilitates the implementation of the Mayor’s Transport Strategy, being specified in that strategy as a purpose for which a surplus can be applied; and
  - f) making contributions to other authorities, i.e. the other London Borough Councils and Transport for London, towards the cost of their doing things upon which the City in its area could incur expenditure upon under (a)-(e) above.

## 2012/13 Outturn

1. The overall financial position for the On-Street Parking Reserve in 2012/13 is summarised below:

	£m
Surplus Balance brought forward at 1st April 2012	(14.437)
Surplus arising during 2012/13	(4.227)
Expenditure financed during the year	4.164
<b>Funds remaining at 31<sup>st</sup> March 2013, wholly allocated towards the funding of future projects</b>	<b>(14.500)</b>

2. Total expenditure of £4.164m in 2012/13 was financed from the On-Street Parking Reserve, covering the following approved projects:

<b>Revenue Expenditure :</b>	<b>£000</b>
Highway Repairs and Maintenance	1,202
Off Street Parking Provision	551
Concessionary Fares and Taxi Card Scheme	501
Parking Enforcement Plan	80
Special Needs Transport	24
Planting Maintenance	17
Cheapside Stage 4A	5
New Roads and Transport	1
Bryer Court Pond Waterproofing	(54)
<b>Total Revenue Expenditure</b>	<b>2,327</b>
<b>Capital Expenditure :</b>	
Transport Improvements – Milton Court	700
Farringdon Street Bridge Repairs	601
Barbican Podium Waterproofing	493
St Giles Terrace	116
Pedestrian Way-Finding Signage	14
Silk Street	10
Queen Street Pilot Project	5
Carter Lane	5
Southwark Bridge Area	1
Barbican Area Strategy	1
Cheapside Strategy	(109)
<b>Total Capital Expenditure</b>	<b>1,837</b>
<b>Total Expenditure Funded in 2012/13</b>	<b>4,164</b>

3. The surplus on the On-Street Parking Reserve brought forward from 2011/12 was £14.437m. After expenditure of £4.164m funded in 2012/13, a balance of

£63k was carried forward to future years to give a closing balance at 31st March 2013 of £14.500m.

4. Currently total expenditure of some £34.1m is planned over the medium term up to 31st March 2017, by which time it is anticipated that the existing surplus plus those estimated for future years will be fully utilised. This total includes expenditure of £7m, £8.2m, £9m and £9.9m planned from 2013/14 until 2016/17 respectively, which are anticipated to exceed significantly the surpluses arising in those years. The total programme covers a number of major schemes including funding towards the Barbican Podium Waterproofing, repairs to Farringdon Street Bridge and Snow Hill Bridge, Lime Street access works and various street scene projects (e.g. around Milton Court) as well as on-going funding of highways and road maintenance projects. The progression of each individual scheme is, of course, subject to the City's normal evaluation criteria and Standing Orders.

### **Conclusion**

3. So that we can meet our requirements under the Road Traffic Regulation Act 1984 (as amended), we ask that the Court of Common Council notes the contents of this report, which would then be submitted to the Mayor of London.

All of which we submit to the judgement of this Honourable Court.

DATED this 14th day of January 2014.

SIGNED on behalf of the Committee.

**DEPUTY MICHAEL WELBANK MBE**  
**Chairman**





## Report of the Culture, Heritage and Libraries Committee

### Public Library Byelaws

*To be presented on Thursday 16<sup>th</sup> January 2014*

*To the Right Honourable The Lord Mayor, Aldermen and Commons of the City of London in Common Council.*

#### Summary

With the concurrence of your Culture, Heritage and Libraries Committee and in accordance with the Public Libraries and Museums Act, 1964, we seek approval to an updated set of byelaws applicable to public libraries. The existing set of byelaws, last updated in 1966, is out of date and a revised set is needed

#### Recommendation

We **recommend** that the revised set of byelaws be formally adopted by the Court of Common Council, in accordance with the Public Libraries and Museums Act, 1964.

#### Main Report

##### Background and Proposal

1. It is a requirement of the Public Libraries and Museums Act, 1964 (the legislation that governs the provision of library services by local authorities) that every such set of services shall have byelaws setting out the rules for their use, formally approved by their parent Council. The byelaws follow a standard formula recommended by the Department of Culture, Media and Sport, and subject to Court endorsement would require further approval by the Department of Culture, Media, and Sport (DCMS).
2. The library byelaws currently in force in the City were approved by the Court in 1966 and are in need of updating. A revised set of byelaws has been drafted and is attached to this report.
3. The byelaws provide a framework which provides the library staff the authority they need to permit (or not) various user activities. The new set of byelaws has been updated in numerous respects where new legislation needs to be referred

to, or where new equipment has been developed since 1966 (e.g. photocopiers, computers, mobile telephones).

4. Clauses in the old rules which are no longer appropriate or necessary have been removed (e.g. a reference in clause 4 to “suffering from an offensive disease”, smoking in any part of the library used as a restaurant and “a fine not exceeding £5”).

### **Proposals**

5. Members are asked to give their formal approval to the new byelaws so that they can be submitted to DCMS. They will then be displayed in all the City libraries, as required by the Act, replacing the outdated set.

### **Conclusion**

6. The approval of the revised set of library byelaws will bring the City Corporation up to date in meeting this obligation of the Public Libraries and Museums Act 1964.

All of which we submit to the judgement of this Honourable Court.

DATED this 4<sup>th</sup> day of December 2013

SIGNED on behalf of the Committee.

JOHN SCOTT

Chairman

Corporation of London

Public Library Byelaws made under

Section 19 of the Public Libraries and Museums Act 1964

by the Common Council of the City of London

1. In these Byelaws, unless the context otherwise requires:-

**"the Act"** means the *Public Libraries and Museums Act, 1964*;

**"charge"** means any charge imposed in accordance with the Regulations;

**"child"** means a person under the age of 14 years;

**"emergency situation"** includes situations where a library or part of a library is required to be evacuated for security reasons or because of threat from fire or other hazard and practices and false alarms in relation thereto;

**"last known address"** means the last address held on the Library Authority's records;

**"Library Authority"** means the Common Council of the City of London;

**"library"** means:

any premises which are occupied by the Library Authority where library facilities are made available by the authority in the course of their provision of a public library service, to members of the public, and includes

any vehicle used by the Library Authority for the purpose of providing a public library service to members of the public and in which library facilities are made available; and includes any part of such premises or vehicle,

**"librarian"** means any person appointed, employed or authorised by the Library Authority in connection with its functions under the Act;

**"library property"** means any property owned or provided by the Library Authority (whether or not made available for use by members of the public) and includes property obtained by the Library Authority for the loan to, or use of, the public including: any book, electronic resource, journal, pamphlet, music score, manuscript, picture, print, photograph, engraving, etching, deed, map, chart, plan, gramophone, record, film, museum object, and any other article of a like nature forming part of the contents of the library, as well as any furniture, fittings or any other contents of any library;

**"notice"** means any notice given to a person by the Library Authority whether personally, or by post or electronic format;

**"the Regulations"** means *The Library Charges (England and Wales) Regulations 1991 S.I.1991/2712*;

2. In these Byelaws:
  - a. words importing the masculine gender include the feminine, words in the singular include the plural and words in the plural include the singular;
  - b. expressions used, unless the contrary intention appears, have the meaning which they bear in the Act and/or the Regulations.
3. An act performed in connection with the proper execution of his duty by a librarian shall not be a contravention of these Byelaws.
4. No person shall give a false name or address for the purpose of entering the library or for the purpose of using any library facility.
5. No person who in the reasonable opinion of a librarian is offensively unclean in person and/or clothing shall remain in the library after having been asked by a librarian to leave the library.
6. Except with the consent of a librarian, no person shall:
  - a. cause or allow any dog (other than a working dog accompanying a disabled person or under training for the same) or other animal belonging to him or under his control to enter or remain in the library;
  - b. bring into any part of the library a wheeled vehicle or conveyance other than a wheelchair, pram, pushchair or shopping trolley;
  - c. enter or remain on any part of the library which, a reasonable person would or should know, is prohibited to the public; or
  - d. remain in the library after the time fixed for its closing.
7. No person shall, unless specifically permitted by a librarian, take or attempt to take any library property from the library or past a check-out or security point.
8. All personal possessions may be subject to opening and inspection and users must present their bag, papers and/or other possessions for inspection if requested to do so by a librarian.
9. No person shall remain in the library after an emergency situation has been made known to him.
10. No person shall, unless specifically permitted by a librarian, make a tracing, take any photograph of or film, or save where permitted, any photocopy of any or any portion of library property.
11. No person shall, without lawful excuse, destroy damage deface soil or injure any library property, whether doing so intentionally or being reckless as to such destruction or damage etc.
12. No person shall behave in a disorderly manner in the library, use violent, abusive or obscene language therein, or intentionally or recklessly cause or do anything likely to cause injury to any other person or property.
13. No person shall lie on any furniture or fittings or any part of the library, or sleep in the library after having been requested not to do so by a librarian.

14. No person shall remain in a library without making proper use of the library's facilities after having been requested, by a librarian, to make such proper use of the facilities.
15. No person shall engage in persistent audible conversation in any part of the library (and particularly in any part of a library set apart as a reference department, study area, or for reading) or where such conversation is prohibited by notice, or after having been requested not to do so by a librarian.
16. No person shall intentionally or recklessly obstruct any librarian in the execution of his duty or intentionally or recklessly disturb, obstruct, interrupt, abuse or annoy any other person properly using the library.
17. No person shall without the consent of a librarian, intentionally, display, distribute, or leave any bill, placard, notice or other document in the library.
18. No person shall, without the consent of a librarian, offer anything for sale in the library or canvass or seek signatures for petitions.
19. No person having supervision or responsibility for a child shall without the consent of a librarian leave the child unsupervised in the library.
20. No person shall smoke, light a match or use a cigarette lighter in the library (other than in an area, if any such area is so designated, where smoking is permitted).
21. No person shall inhale any toxic substance for the purpose of causing intoxication or take any controlled drug as defined by Schedule 2 of the *Misuse of Drugs Act 1971* in any part of the library, other than drugs dispensed for and pursuant to a prescription issued for him by a doctor under and in accordance with the aforesaid Act.
22. No person shall, except with the consent of a librarian, partake of refreshment in the library, except in any part thereof which is for the time being used as a restaurant or in which, when it is being used for an educational, cultural or other event under section 20 of the Act, the Library Authority allows refreshments.
23. No person shall, except with the consent of a librarian, cause or allow any mobile telephone, portable computer, or other electrical equipment, or apparatus for the reception of sound broadcasting or for the reproduction of sound, to be operated in any part of the library.
24. No person who:
  - a. borrows library property which is returned late or, if returned, would be returned late, or
  - b. fails to pay any charge shall, unless with the specific consent of a librarian, borrow any other library property.
25. Any person who has borrowed library property which, if returned, would be returned late and who has been served with a notice by the Library Authority demanding return of the library property:
  - a. shall return the library property to the library from which it was borrowed within 14 days from the date the notice was served;

- b. for the purposes of this Byelaw, a notice may be served upon any person by delivering it to him personally, or by leaving it at his last known address, or by sending it by post addressed to him at that address.
26. Any person who contravenes any of these Byelaws shall be liable to prosecution by the Library Authority, and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale in respect of each offence. In any case involving breach of byelaws 10 or 20, a prosecution may be brought under the *Criminal Damage Act 1971* or the *Misuse of Drugs Act 1971* respectively.
27. A librarian may exclude or remove any person who contravenes any of the foregoing Byelaws from any library maintained by the Library Authority under the Act.
28. On the coming into operation of these Byelaws, the Byelaws relating to libraries which were made by the Mayor and Commonalty and Citizens of the City of London acting by the Mayor, Aldermen and Commons in the Common Council assembled on the 21<sup>st</sup> day of July 1966 and confirmed by the Secretary of State for Education on the 7<sup>th</sup> day of October 1966 shall be revoked.

The Common Seal of [ ] was hereunto affixed in the presence of [ ].

The foregoing Byelaws are confirmed on behalf of the Secretary of State for Culture, Media and Sport by the Deputy Director, Culture Directorate, Department for Culture, Media and Sport and shall come into force on [ ].

[Signature]

[Print Name]

[Date]

Deputy Director, Culture Directorate  
Department for Culture, Media and Sport

[The date of coming into force is one month after date of signature].

[This note is not part of the byelaws].

Users of the library and library facilities are reminded that the provisions of the general law apply at all times. In particular as regards the activities referred to in byelaws 10 and 20 the Library Authority draws attention to the existence of the *Criminal Damage Act 1971* and the *Misuse of Drugs Act 1971*.]

People who intend to make copies of works are advised that they may only do so in accordance with the provisions of the *Copyright Designs and Patents Act 1988* and are liable to prosecution under that Act if they fail to observe its provisions.



## Report – Audit and Risk Management Committee Re-appointment of External Members

*To be presented on Thursday, 16th January 2014*

*To the Right Honourable The Lord Mayor, Aldermen and Commons of the  
City of London in Common Council assembled.*

### **Summary**

1. At its meeting on 9 September 2011 the Court agreed the procedure for appointing the external, independent, members of the Audit and Risk Management Committee. Whilst the procedure specifies that appointments cover a four year term, it does not include any scope for the re-appointment of existing members. This report seeks to address this by varying the procedure to allow external members to be re-appointed for a further term. However, in the interests of maintaining a fresh perspective, your Committee is also recommending that, normally, a maximum of two terms be served in total.
2. This report also seeks the Court's approval to the re-appointment of Kenneth Ludlam and Caroline Mawhood, the current external members of the Audit and Risk Management Committee. Both terms expire in March 2014 and, in order to maintain an element of continuity, your Committee is recommending that their proposed new terms be staggered at 3 and 4 years respectively, expiring in 2017 and 2018. The term of the third external member, Hilary Daniels, appointed by the Court in in 2012, expires in 2016.

### **Recommendation**

We **recommend** that:-

- 1) The procedure for the appointment of external members be varied to allow existing external, independent, members to be appointed for a further term with normally a maximum of two terms being served in total; and



- 2) subject to 1) above, Kenneth Ludlum and Caroline Mawhood be reappointed as external, independent, members of the Audit and Risk Management Committee for further terms of 3 and 4 years, respectively.

## **MAIN REPORT**

### **Background**

1. The terms of two of the three existing external members on the Audit and Risk Management Committee are due to expire in March 2014. At its meeting on 11 December 2013, your Committee considered how best to fill these vacancies and was of the view that, given the high standard of their contribution, the current external members, Caroline Mawhood and Kenneth Ludlam, should be re-appointed for a further term.
2. The current procedure for appointing external members agreed by the Court in September 2011 is set out as follows:-

#### Criteria/restrictions:

- He or she has not been a Member nor an Officer of the City of London Corporation within 5 years before the date of the appointment;
- Is not a Member nor an Officer of that or any other relevant authority;
- Is not a relative nor a close family friend of a member or an officer of the body/authority;
- Has applied for the appointment; and
- Has been approved by a majority of the Members of the Court

Criteria stipulating that applicants should either have a strong connection with the City or reside within it should not be applied.

#### Search and Selection Process:

- A search and selection process is followed in tandem;
- An advert is placed on the public appointments page of the Cabinet Office's website, on the Corporation of London's website inviting the submission of CVs;
- An advert be placed in trade/CIPFA magazines;
- An advert be placed in City AM if this is the most cost effective means of advertising locally;
- In tandem, the Town Clerk (or his/her representative) and the Chamberlain, in consultation with the Chairman and Deputy Chairman of the Audit and Risk Management Committee and up to two Full Members of the Committee (which could include the current external Members) draw up a list of potential candidates to be approached about the role. Where someone is interested in becoming an Independent Member, they should be invited to submit a CV.



- A selection panel, which is authorised to shortlist and interview applicants, should be established.
- Following recommendations by the selection panel, the Committee should consider the appointment and make a recommendation to the Court of Common Council.

Term of appointment: appointments continue to be for a four year term commencing on the date of appointment.

3. This procedure does not include scope for the re-appointment of existing external members. Your Committee believe that Caroline Mawhood's and Kenneth Ludlam's contribution to the work of the Committee has been invaluable and, to enable them to build on this and continue to assist the Committee with its scrutiny functions, it is recommended that the appointments procedure be varied to allow external, independent, members to be re-appointed for further terms. Your Committee is, however, mindful of the importance of maintaining a fresh perspective and, as a consequence, we recommend that normally a maximum of two terms be served in total.
4. By way of background, Caroline Mawhood has spent her professional career in central government auditing, and retired as Assistant Auditor General at the National Audit Office and was CIPFA's President in 2008/2009. Kenneth Ludlam is an experienced Non-Executive Board Member of a number of high profile organisations. Kenneth retired from the position of Head of Internal Audit and Risk Management at Hanson PLC in 2003, following a career in accountancy in the private sector.
5. In order to maintain an element of continuity we believe the terms of these re-appointments should be staggered to 3 and 4 years, expiring in 2017 and 2018. Kenneth Ludlam would serve a further term of 3 years and Caroline Mawhood a further term of 4 years. The third external member's term (Hilary Daniels) is not due to expire in 2016.

## **Conclusion**

6. The terms of two of the three external, independent, members on the Audit and Risk Management Committee are due to expire shortly and, in view of their experience and the contribution they make to the work of the Committee and the City Corporation overall, we believe the current members, Caroline Mawhood and Kenneth Ludlam, should be re-appointed for a further term. The current procedure for appointing external, independent, members does not cover the issue of re-appointment. Your Committee is of the view that it would be prudent for the procedure to be varied to enable this in future, subject to normally a maximum of two terms.

All of which we submit to the judgement of this Honourable Court.

DATED this 11<sup>th</sup> Day of December 2013

SIGNED on behalf of the Committee.

Jeremy Mayhew  
Chairman, Audit and Risk Management Committee

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## Report – Social Investment Board of the Investment Committee

### City of London Corporation's Social Investment Fund First Year Activities

*To be presented on Thursday, 16th January 2014*

*To the Right Honourable The Lord Mayor, Aldermen and Commons  
of the City of London in Common Council assembled.*

#### **Summary**

Under the leadership of the Policy & Resources Committee, the City Corporation is working to position London as a global hub for social investment. In October 2012 you approved a designation of £20 million from Bridge House Estates for investments that produce a positive financial return and demonstrable social benefit and the purpose of this report is to inform Members of progress. In its first year, the City of London Corporation Social Investment Fund (the Fund) has committed £2.1 million to a range of ventures across the UK and overseas. The Fund's work complements the City Corporation's social investment policy and advocacy work, which has been a wide-ranging programme of major events, research and policy consultation.

Your Fund has exceeded its investment target for its first year. Your social investment policy and advocacy work has helped position the City Corporation as a leader in this field.

#### **Recommendation**

The Court is recommended to receive the report and note its contents.

## Main Report

### Background

1. The City of London Corporation has a long-standing commitment to social investment. It is working to establish London as a recognised global hub for social investment, under the leadership of the Policy & Resources Committee, by pursuing the following aims:
  - Encouraging and steering a growing supply of appropriate finance into social investment;
  - Working to improve the regulatory and fiscal framework needed to support the social investment marketplace; and
  - Developing the capacity of social organisations to access investment and secure contracts and markets.
2. At its meeting on 24<sup>th</sup> May 2012 the Court agreed to designate £20 million from Bridge House Estates for investments in activities that produce both financial returns at a rate not less than the average interest rate earned on the City's cash holdings and a demonstrable social benefit. This designation is known as the City of London Corporation Social Investment Fund (the Fund).
3. The Fund has two objectives:
  - To provide loan finance, quasi-equity and equity that provides development and risk capital to organisations working towards charitable ends or with social purpose; and
  - To help develop the social investment market.
4. The Fund can invest directly into organisations pursuing charitable, community or social objectives and indirectly into socially-focused funds managed by others.
5. 60% of the Fund is designated to support work that benefits Londoners, 30% for UK-based beneficiaries, and 10% for overseas beneficiaries.
6. A Social Investment Board was established to oversee the Fund, and its aims, objectives, outline investment strategy and governance arrangements you approved at your meeting on 25<sup>th</sup> October 2012. The Social Investment Board sits alongside the Financial and Property Investment Boards and is to be appointed annually by the Investment Committee. Alderman Peter Hewitt was elected as its Chairman.
7. The Fund is administered by the Chief Grants Officer for the City Bridge Trust with input from Chamberlain's, Comptroller and City Solicitor's Departments and the Economic Development Office. Independent, FCA-regulated advisors

are involved in the financial assessment of each proposal presented to the Social Investment Board.

### **First Year Targets**

8. In its report to you on 25<sup>th</sup> October 2012, the Policy & Resources Committee noted that the Fund would focus on capital preservation and the development of expertise in its first year. It was noted that first investments were likely to be in instruments offering lower risk such as secured loans and short-term bonds as appraisal and monitoring processes were established.
9. The target dispersal rate for the first year (ending October 2013) was £2 million.

### **First Year Activity**

10. In its first year the Fund has committed £2.1 million across five social investments. £1.6 million of this commitment has been placed, with the remaining £500,000 pledged subject to the completion of satisfactory legal agreements which are currently underway. Because of the very early stage in the investment cycle, the board considers that it is too soon to comment on individual investment performance.
11. The four investments are: the Small Enterprise Impact Investing Fund, the Real Lettings Property Fund, the Golden Lane Housing Bond, and Midlands Together.
12. **The Small Enterprise Impact Investing Fund** is a product from Oxfam / Symbiotics, which was developed with support from the City of London. It supports small and medium sized enterprises in low to middle income economies, prioritising those investment opportunities that focus on job creation, food security and women's empowerment. **£318,513** has been invested in this fund.
13. **The Real Lettings Property Fund** has been developed by the homelessness charity Broadway in partnership with Resonance Limited. Their fund aims to purchase up to 260 one and two bedroom properties in Greater London for tenants who are, or have previously been, homeless. **£500,000** has been invested in this fund.
14. **Golden Lane Housing**, a subsidiary charity to the Royal Mencap Society, issued a bond in 2013, with funds raised reserved for the purchase, adaptation and letting of up to 30 freehold properties to people with learning disabilities. **£500,000** has been invested in this bond.
15. **Midlands Together**, a new venture, also issued a bond in 2013 with funds reserved for a programme providing employment, training and mentoring to

100-150 ex-offenders through a property refurbishment programme across the West Midlands. **£300,000** has been invested in this bond.

16. **A further £500,000** has been committed to invest in accommodation for homeless people in the Midlands, and full details will be announced once the investment is placed.

**The Regional breakdown of investment is as follows:**

<b>Region</b>	<b>Total committed</b>	<b>Proportion of Fund commitments to date</b>
London	£500,000	24%
UK	£1,300,000	61%
Overseas	£318,513	15%

**Social Investment Policy**

17. The Fund complements the City Corporation’s social investment policy and advocacy work.
18. The City Corporation has hosted a large range of events (including an international conference attracting over 300 potential investors from 35 countries), meetings and delegations with a view to promoting the opportunities of social investment to new investors, and to understand and unlock the barriers faced for their involvement. The total value of new social investment funds (some of which are still raising capital) will provide in excess of £100 million additional finance to the stock of capital available. Meanwhile, demand for social investment has risen from £165 million in 2010- 2011 to £202 million in 2011-2012 and is expected to increase further thereafter.
19. The City Corporation is part of a small market stewardship group with Big Society Capital, Cabinet Office, Big Lottery Fund and Social Enterprise UK to ensure there is a strategic vision and coordinated action across the sector. The City Corporation is also a co-founder member of a new Social Investment Research Council comprising the market stewardship members and Citibank. This work provides understanding of the needs of social enterprises as well as the needs of the social investment market.
20. The City Corporation’s policy and advocacy work has supported a range of market-enabling outcomes including:
- the introduction of a Social Investment Tax relief in the 2014 Budget, underpinned by detailed research commissioned by City Corporation and Big Society Capital on the rationale and likely impact of introducing such a relief;

- the engagement of the Financial Conduct Authority with the social investment market;
- recognition in the Financial Services Bill of the motivations of a social investor and a review of the Community Interest Company structure to see how it could encourage investors more effectively;
- debate in the European Union as to how Structural Funds could be used to support the strengthening of the social sector organisations across Europe; and
- representation, by the Chairman of Policy and Resources Committee, on the UK National Advisory Board to the G8 Taskforce on social impact investment.

### **Conclusions**

21. The City of London Corporation Social Investment Fund has been welcomed as a forward-thinking initiative and helps to strengthen your work to position London as a global hub for social investment. The Fund has exceeded its first year investment target, and has provided capital to support socially beneficial ventures that also meet the Fund's financial criteria. The governance and administrative arrangements have worked well, providing scrutiny to investment proposals and monitoring current holdings.
22. The City Corporation's policy and advocacy work has helped to situate London as an international hub for social investment, as a place in which impact fund managers are represented, deals are done, products are designed, expertise is available, and the operating regime is enabling.

All of which we submit to the judgement of this Honourable Court.

DATED this 13<sup>th</sup> day of December 2013

SIGNED on behalf of the Board

Alderman Peter Hewitt  
Chairman of the Social Investment Board

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## Report – The role of the City of London Corporation as Trustee of the Bridge House Estates

*To be presented on Thursday, 16th January 2014*

*To the Right Honourable The Lord Mayor, Aldermen and Commons  
of the City of London in Common Council assembled.*

### **SUMMARY**

1. At the meeting of the City Bridge Trust Committee on 30<sup>th</sup> October 2013, Members requested clarification regarding the position in respect of the Bridge House Estates and City Bridge Trust being 'independent of the Corporation'. The Committee also sought clarification regarding Members' responsibilities when acting as Bridge House Estates Trustees.
2. This report therefore explains the role of the City of London Corporation as Trustee of the Charity, Bridge House Estates. The report further clarifies the distinct functions and responsibilities of the Committees of the Court of Common Council of the City Corporation that conduct business relating to the Charity.
3. In seeking to clarify further the role of Trustees and the distinct functions and responsibilities of those bodies that set out business relating to the Charity, it should be noted that:
  - Bridge House Estates assets do not belong to the Corporation - they are held by it on trust for charitable purposes;
  - the City of London Corporation, acting through the Court of Common Council, is the sole Trustee of Bridge House Estates;
  - City Bridge Trust is not a separate legal entity in its own right - it is the name given to the grant-giving arm or activities of Bridge House Estates;
  - some of the Bridge House Estates Trustee functions are delegated to City Corporation Committees of which the City Bridge Trust committee is one (the Court of Common Council may alter these delegation arrangements);
  - Charity Trustees must always act in the best interests of the Charity of which they are Trustee;
  - when Members of the Court undertake business associated with Bridge House Estates (in whichever Committee) they act for the City Corporation as Trustee. In meeting those Trustee obligations, Members must therefore

ensure that the best interests of the Charity are paramount in taking decisions which impact both upon Bridge House Estates business and that of other functions of the City Corporation;

- all conflicts of interest and loyalty should be managed in line with Charity Commission guidance.

## RECOMMENDATIONS

4. This report is submitted to the Court of Common Council for information to aid you in your role as Trustee of the Bridge House Estates Charity.

## MAIN REPORT

### BACKGROUND TO BRIDGE HOUSE ESTATES

5. Bridge House Estates ('Bridge House Estates') is a registered charity which has been in existence for more than 700 years, the primary purpose of which is the maintenance and replacement of five bridges that cross the River Thames which allow access to the City of London. The Charity is governed by various Royal Charters, Acts of Parliament, statutory instruments, and Scheme and Orders of the Charity Commission.
6. In the period up to 1995, the underlying assets of Bridge House Estates had been producing an income which was more than enough to carry out its primary purpose and this surplus had been accumulating.
7. To enable the objects of the Charity to be widened so that the Charity's income could be applied for charitable purposes rather than continue to accumulate, the trusts of the Charity were altered by way of a Cy-près scheme ('the Scheme'). The Scheme was settled by the Charity Commission and brought into effect through a statutory instrument, an Order made by the Home Secretary. The Scheme was made in 1995 (and amended in 2005 by the Charity Commission).
8. The Scheme provides for Bridge House Estates income surplus to that required to maintain and replace the five bridges (the primary purposes of the Charity) to be applied in one or both of the following ways:
  - (a) in or towards the provision of transport and access to it for elderly or disabled people in the Greater London area; and
  - (b) for other charitable purposes for the general benefit of the inhabitants of Greater London in such ways as the Trustee thinks fit.
9. It is important to note that the funds can be applied for charitable purposes to benefit the public within the geographic area of Greater London, not simply the *City of London*. A charitable purpose is defined under the Charities Act 2011 as one which falls within the list of 13 descriptions of purposes (or 'heads of charity') which must be advanced for the benefit of the public ('the public benefit requirement'), these being:
  - (a) the prevention or relief of poverty
  - (b) the advancement of education

- (c) the advancement of religion
- (d) the advancement of health or the saving of lives
- (e) the advancement of citizenship or community development
- (f) the advancement of the arts, culture, heritage or science
- (g) the advancement of amateur sport
- (h) the advancement of human rights, conflict resolution or reconciliation or the promotion of religious or racial harmony or equality and diversity
- (i) the advancement of environmental protection or improvement
- (j) the relief of those in need, by reason of youth, age ill-health, disability, financial hardship or other disadvantage
- (k) the advancement of animal welfare
- (l) the promotion of the efficiency of the armed forces of the Crown, or of the efficiency of the police, fire and rescue services or ambulance services
- (m) any other purposes recognised as charitable.

10. For a charity to meet the public benefit requirement the charity's purpose/s must, in summary, be beneficial (supported by evidence if necessary) and benefit the public in general or a sufficient section of the public (and not give rise to more than incidental personal benefit). The Charity Commission's guidance (*'Public benefit: running a charity'*) states that:

*'When making decisions about how to carry out your charity's purpose for the public benefit you should:*

- *know who can potentially benefit from your charity's purpose*
- *give proper consideration to the full range of ways in which you could carry out your charity's purpose*

*When making decisions that affect who can benefit, you may choose to focus on certain beneficiaries. You can do this provided that:*

- *you have proper reasons for doing so*
- *you do not exclude the poor from benefit*
- *the smaller group of people you wish to focus on is a sufficient section of the public for your charity's purpose*
- *you make decisions in accordance with the framework for Trustee decision-making.'*

11. The Charity Commission's framework for Trustee decision-making states:

*'When you make decisions about your charity, you must:*

- *act within your powers*
- *act in good faith, and only in the interests of your charity*
- *make sure you are sufficiently informed, taking any advice you need*
- *take account of all relevant factors*
- *ignore any irrelevant factors*

- *manage conflicts of interest*
- *make decisions that are within the range of decisions that a reasonable Trustee body could make in the circumstances'*

## **THE CITY OF LONDON CORPORATION AS THE CORPORATE TRUSTEE OF BRIDGE HOUSE ESTATES**

12. The City of London Corporation, acting through the Court of Common Council, is the sole Trustee of Bridge House Estates ('the Trustee'). Therefore all Members of the Court of Common Council, collectively, perform that role. The functions associated with the Trustee role are managed through existing corporate arrangements such as delegation to committees of specified functions and associated standing orders and financial regulations. This is an entirely proper mechanism for the discharge of the Charity's functions. Individual Members are not Trustees.
13. The City Bridge Trust Committee fulfils one of the functions of the Trustee role. It is important to note 'City Bridge Trust' is not a separate legal entity in its own right: it is the name given to the grant-giving "arm" or activities of Bridge House Estates.
14. All Charity Trustees must always act in the best interests of the Charity of which they are Trustee, and manage any conflicts of interest or loyalty accordingly. When Members of the Court (at the Court itself or across all Committees) are dealing with business associated with Bridge House Estates, they must ensure that the best interests of the Charity are paramount.
15. It is not unusual for a corporate Trustee to administer a charity by delegating management of charity business to a number of committees; nor is it unusual for a local authority to be the Trustee of a charity.
16. Helpful guidance has been produced by the Charity Commission for Local Authorities acting as a charitable Trustee. This is included in the Charity Commission's Local Authorities Charities Guidance <http://www.charitycommission.gov.uk/detailed-guidance/specialist-guidance/local-authorities-as-Trustees>. Guidance regarding the role of Members as charity Trustees is also available: <http://www.charitycommission.gov.uk/detailed-guidance/specialist-guidance/local-authorities-as-Trustees/councillors-guide-to-a-councils-role-as-charity-Trustee/#contents4>.
17. A key section of the guidance is:
 

*'There are similarities between the rules and regulations that apply in discharging the functions of a local authority and those of a charity. While many of those underlying principles of prudence and transparency will apply equally to managing charitable trusts, there are also differences. An understanding of these differences is essential if local authority Trustees are to perform this role effectively and with the minimum of risk. A number of councils have encountered problems in this area, most notably because:*

  - *councils, used to exercising wide discretion in the way they manage their assets, may not have fully recognised and complied with the restrictions on the use of charitable assets;*

- *conflicts can arise between things that would be popular with the electorate and the obligations of the Trustee, imposed by the terms of the charity;*
- *where assets were left to the council many years ago, the precise terms of the charity, or even the fact that it is a charity, may have been forgotten or overlooked.’ ...*

*‘Councils and council members should be aware of the following principles:*

- *For a body to be a charity, it must be independent, i.e. it must exist and operate solely for charitable purposes, not as a means of carrying out the policies or directions of the local authority.*
- *Where a local authority is a Trustee of a charity, it is the corporate body, acting in accordance with its usual procedures, which is the ‘the Trustee’. ...*
- *The management of the charity should be kept separate, as far as possible, from the business of the local authority. ...’*

18. The Charity Commission’s draft guidance document “Managing Conflicts of Interest; a guide for Trustees” states:-

*‘Trustees have a legal duty to make decisions on behalf of the charities they serve objectively and free from bias. This is so that decision making is focused on the best interests of the charity. The law says that Trustees must avoid putting themselves in a position where their personal interests or loyalties could conflict with their duty to act only in the best interests of the charity. In practice this means that Trustees must eliminate conflict of interest or manage it. This is so that the existence of conflict does not undermine their ability to make decisions only in the best interests of the charity ..... Even the appearance of conflict of interest can be damaging. If challenged about apparent conflict, Trustees must be ready and able to demonstrate that they have acted properly’*

19. This description reflects a Member’s duty when acting as Bridge House Estate Trustee, as opposed to acting in the best interests of the City Corporation which is essential to the proper management of conflict referred to above. It also reflects the fact that Bridge House Estates’ assets do not belong to the City Corporation - they are held by it on trust for charitable purposes.
20. Bridge House Estates is independent of the City Corporation in so far as the assets and other resources of the Charity must be governed by its various governing documents, including the Cy-Près Scheme. Given the current strategy of the Corporation with its aims to provide benefits to London as a whole, there are likely to be areas when work in pursuit of the charitable objectives of Bridge House Estates converges with the City Corporation’s work in pursuit of its corporate strategy.
21. The following demonstrates the City Corporation undertakings as corporate Trustee of Bridge House Estates is set out below:
- (a) The City Corporation, acting through the Court of Common Council, is required under the Scheme (and a subsequent Order of the Charity Commission dated 10 July 1997) to settle a policy for the application of Bridge House Estates surplus

income (the charity's income surplus to that required to maintain and replace the five bridges referred to above).

- (b) There can only be one policy to determine the expenditure of the Bridge House Estates surplus income to achieve the charitable purposes set out in the Scheme for the benefit of the inhabitants of Greater London.
- (c) Since the making of the Scheme, each such policy has been consulted on. With regards to considering the needs of London, commissioned research and consultation with external stakeholders has taken place. The findings have subsequently informed the policy, having a focus on specific programmes and charitable activities. The policy has then been agreed by the City Corporation, acting through the Court of Common Council, as Trustee of Bridge House Estates. A regular pattern of 5 yearly review and consultation has more recently been established and the policy was recently agreed by the Court on the 18 July 2013.
- (d) The consultation and research demonstrates to the Charity Commission that the City Corporation, acting through the Court of Common Council, has been fulfilling its obligations as Trustee of Bridge House Estates in a proper and appropriate manner, ensuring that due consideration is given to the needs of Londoners in accordance with the Scheme.
- (e) To date, each successive policy has determined that Bridge House Estates' surplus income be distributed for the benefit of the inhabitants of Greater London by way of grants. The application of Bridge House Estates surplus for charitable purpose by way of grants alone may be varied by decision of the Court.

In recent years there have been some exceptional grants from Bridge House Estates which have been awarded to replace or supplement discretionary expenditure previously met by the City Corporation acting in a different capacity. The City Bridge Trust grants budget was supplemented by additional funds to be applied by way of exceptional grants for purposes consistent with the grants policy in place at the time. Details of the decisions taken, both to release further funds for these purposes and to award the grants, were all, bar one, referred to the Court of Common Council. The one exception was in respect of a grant of £280,000, which was approved by the City Bridge Trust Committee on 18<sup>th</sup> April 2013 regarding the expansion of the City Careers Open House programme, subject to a satisfactory financial assessment of the grant recipient by the Chamberlain. The grant was conditional on the Policy and Resources Committee approving this approach and agreeing an uplift of £280,000 to the City Bridge Trust grants budget for 2013/14, met from the revenue surplus in Bridge House Estates<sup>1</sup>. This was approved by the Policy and Resources Committee on 2<sup>nd</sup> May 2013.

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<sup>1</sup> The uplift was under £500k. All other increases to the grants budget were for amounts of more than £500k and must go to the Court.



- (f) With the financial down-turn in 2008 it was agreed that exceptional grants that replaced or supplemented discretionary expenditure by the City Corporation acting in a different capacity, were permitted under the grants policy at that time on the basis that:
- (i) there were unforeseen issues and circumstances which had arisen since the policy was settled;
  - (ii) the grants were in furtherance of the Bridge House Estates' charitable objects;
  - (iii) the grants were being funded from surplus income additional to that allocated to the existing grants programme and as such the existing grants policy would not be prejudiced;
  - (iv) the grants would fund discretionary activities, would not relieve the City Corporation of any of its legal obligations and were not contrary to the prohibition on Trustees' self-benefit; and
  - (v) the Charity Commission's guidance on managing conflicts of interest should be followed.

## **THE COMMITTEE FUNCTIONS AND RESPONSIBILITIES**

22. The Corporation, acting through the Court of Common Council, as the Trustee of Bridge House Estates, has delegated some of the functions for the management and administration of the charity to different Committees, in accordance with their terms of reference. For example:
- (a) responsibility for grant decisions has been delegated to a dedicated committee, the City Bridge Trust Committee, with grants over £500,000 considered by the Court (in practice, applications for such grants are routed through the City Bridge Trust Committee); and
  - (b) responsibility for recommending the allocation of resources to support the activities of the Charity lies with Policy and Resources Committee which, with the Finance Committee, makes recommendations to the Court of Common Council as to resource allocation and budget setting. In the case of resource allocation to support the City Bridge Trust grants programme, this includes both the budget to be applied under the grants policy and the funds for administration and management of the City Bridge Trust's work.
23. Details of the committees relevant to Bridge House Estates are set out below. Their terms of reference and delegated functions may only be varied by decision of the Court.

### Audit & Risk Management Committee

24. The Audit and Risk Management Committee has responsibility for audit and risk management functions relating to the Bridge House Estates Charity. Specifically regarding audit of the charity functions and accounts, it is responsible for: considering and approving the annual audit plans; receiving reports from the Chief Internal Auditor on internal controls; appointing an Independent Audit Panel to make

recommendations to the Court of Common Council on the appointment of external auditors; meeting with external auditors prior to the presentation of the Accounts to the Court; receiving and considering the external auditor's reports and recommendations; considering the audited annual accounts; and making recommendations relating to the approval of the accounts to the Finance Committee.

25. The Committee is also responsible for monitoring and overseeing risk management strategies and the assurance framework for the Charity including, where relevant, consideration of inspection reports relating to those departments responsible for Bridge House Estates functions and assets and ensuring appropriate action has been taken on those reports; and reporting back to the Court of any risks relating to all governance issues.

#### Culture, Heritage & Libraries Committee

26. The Culture, Heritage and Libraries Committee is responsible for the management of all Bridge House Estates archives; for all activities, services, strategies and policies in the fields of culture, heritage and tourism as they relate to Bridge House Estates, reporting to the Court of Common Council as appropriate; making recommendations to the Court, following consultation with the Policy and Resources Committee, regarding the Cultural Strategy, the Visitor Strategy and other relevant strategies (which will encompass the history and functions of the Charity); and has responsibility for the management and maintenance of the tourist and events elements of Tower Bridge.

#### Establishment Committee

27. The Establishment Committee has responsibility for all relevant employment matters relating to City Corporation employees who are tasked with the Charity's work as officers of the City.

#### Finance Committee

28. The Finance Committee is responsible for ensuring effective arrangements are made for the proper administration of the City Corporation's financial affairs including budget setting; monitoring performance against departmental business plans; making recommendations to the Court regarding audited accounts and the annual budget; and determining annually, with the Policy and Resources Resource Allocation Sub-Committee, the appropriate performance return benchmarks for Bridge House Estates.

#### Investment Committee

29. The Investment Committee has responsibility for the strategic oversight of Bridge House Estates investments and monitoring of the performance of those investments, in accordance with the investment strategy determined by the Policy and Resources Committee. This business is achieved through the appointment of various sub-committees, including the Social Investment Board which has responsibility for the investment of a £20m allocation from Bridge House Estates capital which is invested in the social investment market as part of a balanced portfolio of investments to



achieve a suitable financial return. The Investment Committee is also responsible for providing the Resource Allocation Sub (Policy and Resources) Committee with the recommended proportions between property and non-property assets as part of the resource allocation process, with the final decision remaining with the Resource Allocation Sub-Committee.

#### Planning & Transportation Committee

30. The Planning and Transportation Committee is responsible for all functions relating to the control, maintenance and repair of the five Bridge House Estates river bridges, where such matters are not within the purview of another Committee.

#### Policy & Resources Committee

31. The Policy and Resources Committee is responsible *inter alia* for:
- (a) considering matters of policy and strategic importance to the City Corporation, including matters referred to it by other committees and/or Chief Officers;
  - (b) the review and co-ordination of governance of the City Corporation including its Committees, reporting as necessary to the Court of Common Council, together with the City Corporation's overall organisation and administration;
  - (c) general matters not otherwise expressly provided for within the terms of reference of any other Committee;
  - (d) making recommendations to the Court of Common Council in respect of the Corporate Plan, Community Strategy, and other corporate strategies, statements or resolutions;
  - (e) determining resource allocation in accordance with the City Corporation's strategic policies;
  - (f) approving overall strategy and policy in respect of City Corporation's assets;
  - (g) scrutiny and oversight of major projects and work programmes, including considering all proposals for capital and supplementary revenue projects, and determining whether projects should be included in the capital and supplementary revenue programme as well as the phasing of any expenditure;
  - (h) arrangements for the provision of hospitality for the City Corporation;
  - (i) members' development;
  - (j) strategies and initiatives in relation to sustainability; and
  - (k) appointing various sub-committees including - Resource Allocation and Projects.

### Standards Committee

32. The Standards Committee is responsible for keeping under review the City Corporation's Members' Code of Conduct, promoting high standards of conduct and investigating complaints made against Members under the Code which will include their conduct when acting on behalf of the City of London Corporation as Trustee of the Bridge House Estates Charity.

### The City Bridge Trust Committee

33. The City Bridge Trust Committee is responsible for consulting with interested parties in the course of settling the policy for the application of Bridge House Estates income surplus to that required to maintain and replace the five bridges, the primary object of the Charity. Pursuant to the Cy-Près Scheme approved by the Charity Commission, this "surplus income" is permitted to be applied towards the provision of transport and access to it for elderly or disabled people in Greater London, and for other charitable purposes for the general benefit of the inhabitants of Greater London.
34. The Committee also has responsibility for determining all applications for grant funding in accordance with the Cy-Près Scheme and the agreed policy; for making recommendations to the Court of Common Council for changes to the criteria as to the eligibility and treatment of applications for funding (the policy); for determining conditions and other requirements to be imposed in connection with grants that are approved; and for reviewing the amounts, nature and spread of grants approved or refused and the operation of administrative arrangements for the Cy-Près Scheme.

### **Changes to the Policy for Application of Surplus Income**

35. Charity Trustees should keep any policy relating to their charity under review to ensure that it best enables the charity to meet the charity's purposes. As the 5-year policy for application of surplus Bridge House Estates income was recently agreed, there must be legitimate reasons for that policy to be amended or enlarged so quickly thereafter. A review of the policy would need to be taken openly and transparently and would, consistent with the Charity's governing documents, also require further consultation with stakeholders relevant to the proposed policy changes and liaison with the Charity Commission, before referral to the Court of Common Council for determination.

### **CONCLUSION**

36. Following the Quinquennial Review in July 2013 and having now considered the role of the City of London Corporation as Trustee of the Bridge House Estates Charity, this report clarifies the role of the Charity's Trustees and the distinct functions and responsibilities of all those Committees of the Court of Common Council that conduct business related to the Charity. This information is submitted for clarification in order to aid Members in their role as Trustee of the Bridge House Estates Charity.

All which we submit to the judgement of this Honourable Court

DATED this 28<sup>th</sup> day of November 2013

SIGNED on behalf of the Committee

**Deputy Billy Dove MBE JP**  
**Chairman of the City Bridge Trust Committee**

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## Report - Finance Committee

# Revisions to the City of London's Procurement Regulations January 2014

*To be presented on Thursday 16th January 2014*

*To the Right Honourable The Lord Mayor, Aldermen and Commons of the City of London in Common Council assembled.*

### **Summary**

Since the latest edition of the City's Procurement Regulations were approved by members in July 2012, there have been significant changes in the way in which the City organises its procurement, most notably the launch of the new City of London Procurement Service (CLPS) on 2<sup>nd</sup> April 2013.

The City's policies on London Living Wage (LLW), Fraud Awareness and the Employee Code of Conduct, as well the implementation of the Public Services (Social Value) Act 2012 also give rise to the need to amend the regulations. The most significant changes are adjustments to the following approvals.

#### **Regulation 15 – Waivers Approvals**

The thresholds for authorising waivers of the Procurement Regulations (section 9) remain the same as those in the current Regulations.

However, we have agreed that where waiting to seek Spending Committee approval would prove detrimental to the business delegated authority will apply: Over £50,000 and up to £500,000 the Chamberlain may authorise a waiver, over £500,000 and up to £2,000,000 the Town Clerk in consultation with the Finance Committee Chairman, (or Deputy Chairman in the Chairman's absence) may authorise a waiver. All delegated authority waivers of this nature must be reported at the next Spending committee for review.

## **Regulation 20 – Contracts Letting Approvals**

We have agreed some revisions to the contracts lettings thresholds (section 10) to delegate authority for the Chamberlain to approve the award of non-project related contracts above the EU thresholds and up to £2m per. Annum. Contracts valued between £2m to and £4m per annum must continue to be reported to Spending and Finance Committees. Very high value contracts above £4m must continue to be reported to the relevant Spending Committee, the Finance Committee and the Court of Common Council. The section acknowledges that there are going to be major changes arising from a new EU Procurement Directive which will necessitate major revisions to the City's own thresholds and a further report in 2014.

## **Regulations 42 and 43 – Public Advertising Thresholds for Supplies, Services and Consultancy Contracts**

The new Regulations (sections 16, 17 and 18) include several revisions to the thresholds for seeking quotations and advertising tenders. The most significant is that the advertising thresholds for Supplies and Services and Professional Consultancy contracts are increased from £50,000 to £100,000.

In addition to the three key changes to the existing Regulations there are also several new Regulations designed to address several key organisational, policy and legislative changes since July 2012.

The new regulations include:

- Procurement Codes of Conduct and Conflicts of Interest;
- Use of external consultants and advisors for procurement;
- Roles and responsibilities of officers in the CLPS;
- Improved clarity and terms of reference for the use of framework agreements;
- Governance and the use E-Sourcing and tender management;
- Terms of engagement for the new CLPS Contracts Register;
- London Living Wage; and
- Public Services (Social Value Act) 2012.

A report recommending the new Revisions and Regulations was approved by the Finance Committee on 10<sup>th</sup> December 2013. As the revisions and new recommendations are significant and go beyond minor technical updates they also need to be presented for the judgement of this Honourable Court.

## **Recommendation**

We recommend that the revised Procurement Regulations be approved.

## MAIN REPORT

### Background

1. The City of London's Procurement Regulations in their current format were first introduced alongside revisions to Standing Orders and approved by the Court of Common Council on 6 October 2011 with "any minor technical adjustments in future being subject to the approval of the Finance Committee". Since then there have been several technical adjustments approved by the Finance Committee with the most recent in July 2012.

### Current Position

2. Since the latest edition of the City's Procurement Regulations were approved in July 2012, there have been significant changes to the way in which the City organises its procurement, most notably the creation and launch of the new City of London Procurement Service (CLPS) on 2<sup>nd</sup> April 2013.
3. There have also been several important legislative and policy developments which directly impact on the City's procurement including the implementation of the Public Services (Social Value) Act 2012 in March 2013 and the introduction by the City of its policy relating to the London Living Wage in March 2012.
4. The current Regulations need to be updated to take account of the changes and make them relevant for the way we work with a centralised procurement service. As the revisions and new recommendations are significant and go beyond minor technical updates so they need to be submitted for the judgement of this Honourable Court.

### Revisions to the Regulations

#### Section 1 Overview

5. The Overview section is largely the same as the current Regulations.

#### Section 2 Codes of Conduct and Conflicts of Interest

6. We have agreed new Regulations stating that the City expects all officers and elected members involved in procurement to behave with the highest levels of probity and integrity. They refer to the appropriate sections of the City's Employee Code of Conduct and Fraud Awareness policy and there is also a new Regulation on the declaration of conflicts of interest in procurement.

#### Section 3 Use of external consultants and advisors in procurement

7. We have agreed some new Regulations which set out clear and consistent ground rules regarding the use of external consultants and advisors in procurement projects.

#### Sections 4 to 7 Role of the CLPS and its key teams

8. These new Regulations provide a brief overview and explanation of the key roles and responsibilities of the CLPS and the various teams within it.

## **Section 8 – Key Aspects of Procurement**

9. Apart from a small number of minor revisions and one new Regulation this section remains substantially the same as the current Regulations.
10. Regulation 8.7 is a new and important addition and confirms the requirement for officers to follow the City's **No PO (Purchase Order) No Pay policy** which requires with some exceptions e.g. utilities, rents and rates that purchase orders must be raised at the point when goods, services and works are ordered.

## **Section 9 – Waivers**

11. The thresholds for authorising waivers of the Procurement Regulations (section 9) remain the same as those in the current Regulations namely; up to £50,000 Chief Officers, £50,000 to £2 million Spending Committee or Projects Sub Committee (for Projects) and over £2 million Court of Common Council,
12. In addition we have agreed that where waiting to seek Spending Committee approval would prove detrimental to the business, delegated authority will apply: Over £50,000 and up to £500,000 the Chamberlain may authorise a waiver, over £500,000 and up to £2,000,000 the Town Clerk in consultation with the Finance Committee Chairman (or Deputy Chairman in the Chairman's absence) may authorise a waiver. All delegated authority waivers of this nature must be reported at the next Spending committee for review.

## **Section 10 - Contracts Letting**

13. We have agreed some adjustments to the thresholds intended to provide a greater level of delegated authority to the Chamberlain for the award of relatively low value low risk contracts procured in accordance with the City's and EU Procurement Regulations.
14. We agreed that revisions are made to the contracts lettings thresholds to delegate authority for the Chamberlain to approve the award of non-project related contracts above the EU thresholds in total i.e. the aggregated value of the contract over its duration but up to £2m p.a.
15. Some of the approval thresholds in the Regulations are tied to the prevailing EU thresholds; the current EU threshold for Supplies and Services contracts is £173,934 (at 1 November 2013) however a new EU Procurement Directive has been agreed in October 2013 and will be implemented into UK law in 2014 (date to be advised). These revisions will require us to seek approval for further revisions during 2014.
16. Contracts valued between £2m and £4m per annum will continue to be reported to Spending and Finance Committees.
17. Very high value contracts above £4m will continue to be reported to the relevant Spending Committee, Finance Committee and the Court of Common Council.

## **Section 11 – Increases in Contract Value**

18. There are no revisions to this section which remains the same as the current Regulations



## **Sections 12 to 14 – Framework Agreements, Access Agreements and Due Diligence**

19. These sections are designed to explain the importance and benefits of framework agreements to the City's procurement strategy and the processes to be followed when they are implemented.

## **Sections 15 to 18 Procurement Thresholds for Supplies and Services, Professional Consultancy and Works contracts**

20. The current thresholds have been in place since 2009 and need to be refreshed.
21. We agreed that the advertising thresholds for Supplies and Services and Professional Consultancy contracts are increased from the current £50,000 to £100,000.
22. The other significant revision is the inclusion at all below advertising thresholds of the obligation for officers to invite at least one of either a local supplier, SME or Social Enterprise to quote. Thus bringing the Regulations into line with the City's Responsible Procurement Strategy.

## **Section 19 – E-sourcing**

23. This new section of the Regulations explains and clarifies the ground rules to be followed by officers for the operation of the City's e-tendering application.

## **Section 20 – Contracts Register**

24. We agreed new Regulations confirming that the CLPS now maintains a Contracts Register on behalf of the City to include details of all contracts awarded by the City.

## **Sections 21 to 25 – Responsible Procurement, Local Procurement Directive, Community Benefits, Public Services (Social Value) Act 2012 and London Living Wage**

25. These sections are designed to ensure that officers comply with the City's various responsible procurement policies as well as the statutory obligation to comply with the provisions of the Public Services (Social Value) Act 2012 and the City's own London Living Wage Policy.

## **Section 26 – Contracts procured by third parties**

26. This section makes clear that the Procurement Regulations shall not apply to those contracts procured by a third party and then assigned to the City following the acquisition by the City of long leasehold interests.

## **Corporate and Strategic Implications**

27. It is envisaged that there will be no additional costs to the City in implementing the new Regulations which can be accommodated within the existing resources of the Chamberlain's department.
28. The new Regulations will have a positive impact on the delivery of key strategic objectives and themes in both the City's Corporate Plan 2013-17 and The City Together Strategy 2008 - 2014.

29. In terms of the Corporate Plan the new Regulations will support key policy priorities KPP2 *“Maintaining the quality of our public services whilst reducing our expenditure and improving our efficiency a key part of which is the establishment of the CLPS.”*
30. The new Regulations in emphasising the importance of Responsible Procurement and in particular the City’s support for the London Living Wage and Public Services (Social Value) Act 2012 will support KPP4 *“Maximising opportunities and benefits afforded by our role in supporting London’s communities.”*
31. The policy priorities in KPP4 are key themes in the City Together Strategy 2008 – 2014. The new Regulations are designed to improve the performance of the City’s procurement in that regard.

### **Conclusions**

32. The creation of the CLPS and the implementation of a new approach to procurement is one of the most significant organisational transformation projects undertaken by the City in recent years.
33. All of these themes are reflected in the new Procurement Regulations. There has been extensive consultation on the proposed changes, including a Chief and Senior Officers Masterclass on 11 November 2013, which are designed to facilitate improved and efficient services, as well as greater collaboration both within the City and with our suppliers and neighbouring communities

*(Appendix A – Draft City of London Procurement Regulations January 2014)*

All of which we submit to the judgement of this Honourable Court.

DATED this 13<sup>th</sup> day of December 2013

SIGNED on behalf of the Committee.

Roger A H Chadwick  
Chairman, Finance Committee

**DRAFT**  
**CITY OF LONDON**  
**PROCUREMENT REGULATIONS**

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**JANUARY 2014**



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## 1. Overview

- 1.1 Procuring goods and services in the right way is essential to ensure value for money is achieved.
- 1.2 Any future changes to these Procurement Regulations require the authorisation of the Finance Committee for minor technical revisions such as reformatting or updates to CLPS structure and the Court of Common Council for more substantive changes such as those arising from new legislation, changes to the City's policies or changes to approval thresholds.
- 1.3 The Procurement Regulations apply to all procurement undertaken by any City department.
- 1.4 The Procurement Regulations also apply to the City for externally funded projects where it is the contracting authority conducting the procurement and signing the contract e.g. the Lottery Heritage Fund. In all such cases the CLPS must be consulted even if the external funding is contingent on the City procuring in a certain way. Such contingencies may necessitate officers obtaining a waivers approval in accordance with the waivers regulations in Section 9.
- 1.5 The City of London Procurement Service (CLPS) must be consulted in all opportunities and proposals for letting or extending contracts, and will consult with the Comptroller and City Solicitor (C&CS) when advice upon the legal aspects of contracts are required.
- 1.6 The C&CS maintain standard templates of conditions of contract for certain contracts. These can be found in the Supporting Guidelines pages on the City Buyer portal. In the absence of a template, the CLPS in cases that are complex or novel will advise on appropriate terms. The C&CS must vet all terms and conditions for proposals involving non City standard templates.
- 1.7 There may be occasions when it is appropriate to collaborate with other authorities, where value can be added or costs can be reduced.
- 1.8 The City will always endeavour to procure responsibly, purchasing products and services which have a positive impact on our environment and our surrounding communities.
- 1.9 Procurement activity undertaken as part of a project will also be subject to the approval process set out in the Project Approval Procedure.
- 1.10 Where corporate contracts are in place they must be used. Off-contract spend will be monitored and reported as appropriate.
- 1.11 The Regulations constitute the rules that must be followed when procurement is undertaken in the City. The CLPS is in addition producing further detailed guidance and templates to underpin the regulations and assist officers with undertaking procurement; these can be found on the City Buyer pages of the City's intranet.**

## 2. Codes of Conduct and Conflicts of Interest

- 2.1 The City of London expects all officers and elected members involved in procurement to behave with the highest levels of probity and integrity in accordance with statute law, such as the Bribery Act 2010 and the City's Procurement Regulations, Employee Code of Conduct and Fraud Awareness Policy which are all available on the City's intranet. Failure to adhere to these conditions will result in disciplinary action and in the most serious cases criminal investigation and prosecution

2.2 Any personal conflict of interest arising out of a procurement exercise must be declared immediately to the Head of CLPS who will determine the action required to address the conflict.

### 3. External Consultants and Advisors in Procurement

3.1 It is sometimes necessary for the City to engage specialist consultants, technical experts and advisors to assist with major procurements or projects, where the City does not have the necessary capacity or specialist expertise.

3.2 Such experts cover a wide range of disciplines including planning and project management, commercial, legal and financial, technical, public and private policy, and specialist procurement advice.

3.3 Officers wishing to appoint external consultants to assist with procurement projects must consult the CLPS before all such appointments are made and in addition C&CS in the case of **ALL** external legal Counsel and services including solicitors.

3.4 Any resulting appointment must comply either with the City's Procurement Regulations in respect of appointing consultants via a procurement or via the HR Recruitment and Selection policy in respect of short term contracts of employment or the appointment of temporary staff. It should be noted that the appointment of external legal counsel including solicitors is subject to C&CS procedures.

3.5 Officers may be able to seek advice or guidance from suppliers, or external bodies on a free of charge no obligations basis. Whilst such assistance can be beneficial, officers must take care to manage these arrangements in an appropriate manner. As is the case with the appointment of commercial service providers, the CLPS **must** be consulted before any such advice is sought.

3.6 All external consultants and companies appointed by the City to assist with procurements must be advised of their obligation to declare conflicts of interest. **This is particularly important in respect of those consultants or firms who wish to subsequently tender for the procurement on which they are advising.**

3.7 The CLPS and C&CS have expertise and clear procedures for dealing with these appointments. This is to ensure that the interests of the City, the consultants, and ultimately the companies, who tender for the contract, are protected and the integrity of the procurement competition is not compromised.

3.8 The CLPS and C&CS will ensure that all appointments are covered by appropriate contract terms which clearly state the City's expectations in terms of important issues such as conflicts of interest, rules of engagement, intellectual property rights, confidentiality, Codes of Conduct and disclosure of information.

### 4. The role of the City of London Procurement Service (CLPS)

4.1 The CLPS was created and launched in 2013 to provide a fully integrated procurement service for the entire City of London Corporation. The CLPS is part of the Chamberlains department and is managed by the Head of the CLPS.

4.2 The CLPS has three distinct teams with responsibilities as outlined in sections 5, 6 and 7.

4.3 Guidance on the appropriate communication channels for officers engaging with the various CLPS teams are set out in City Buyer on the City's intranet.

## **5. Sourcing and Category Management (including Category Boards)**

- 5.1** The Sourcing and Category Management team includes a team of professionally qualified Category Managers who manage the operational procurement for a range of related expenditure categories such as Works, Facilities Management, Information and Communications Technology, Human Resources and Community Care. Each Category Manager has responsibility for one or more expenditure categories and their work on sourcing projects is governed by senior officer led Category Boards.
- 5.2** The Category Boards in conjunction with the CLPS category managers are responsible for developing sourcing and savings strategies based on an annual work plan in their respective categories. These are then combined to form the CLPS Sourcing Plan.
- 5.3** Each Category Board will be led by a Chairman and Deputy Chairman who will normally be Chief Officers or second tier directors from the department (s) responsible for the largest proportion of the City's expenditure in a given category.
- 5.4** Category Board Chairman may be assigned delegated authority by the Chamberlain, to approve contract awards in accordance with the thresholds set out in section- 10 of these Regulations.
- 5.3** Each Category Manager also has responsibility for maintaining and building relationships with a discrete group of departments.
- 5.4** Officers are to consult and engage with the Category Management team directly or via Category Boards on all major procurement projects.
- 5.5** The Sourcing and Category Management team also includes a Sourcing Support team which provides operational support including data analysis, the management of the City's Contracts Register and the City's e-sourcing system.
- 5.6** Officers undertaking procurement must engage with CLPS unless they have delegated authority approved by the Chamberlain to undertake procurements outside of the CLPS.
- 5.7** Where officers are undertaking procurements governed by the Projects Regulations they must consult the CLPS regarding the envisaged procurement options during the preparation of all their Gateway reports.
- 5.8** Planning and undertaking major procurements is complex and requires the management of resources across the City. Chief Officers must therefore provide the Head of CLPS with an annual forecast by the end of February every year of all the procurements above £100,000 for supplies and Services and £400,000 for Works, they wish the CLPS to undertake or assist with in the following financial year.
- 5.9** In addition to better planning, this will also benefit the City in terms of the reduced tendering timescales arising from the timely publication of Prior Indicative Notices (PIN's) in the Official Journal of the European Union (OJEU).
- 5.10** Sourcing and Category management also includes a team of Transactional Buyers, who are generally responsible for undertaking all CLPS sourcing for procurements below the City's advertising thresholds which are currently £100,000 for supplies, services and consultancy and £400,000 for works. The Transactional Buyers work closely with the Category Managers.

## **6. Requisition to Pay (RTP)**

- 6.1 The RTP team offers the City a fully integrated service which includes Accounts Payable, invoice matching processing and payments, the management of the City's financial systems relating to procurement, supplier registration, RTP policies and procedures, performance monitoring, systems analysis and development, relationship management, expenditure coding and training.
- 6.2 The RTP team also manages the CLPS Helpdesk which deals with all of the City's internal and external enquiries and requests for assistance.
- 6.3 The RTP team work closely with the Heads of Finance for each department and as with the Category Management team, senior members of the team have each been assigned responsibility for maintaining and building relationships with assigned departments

## **7. Procurement Policy and Compliance (PP&C)**

- 7.1 The PP&C team is responsible for assisting the Head of CLPS with the development and maintenance of procurement policy, regulations and strategy. The team is also responsible for assisting with compliance and service performance monitoring and development and for reporting this internally and externally,
- 7.2 The PP&C team provide CLPS and the City with a range of procurement advisory and research services and act as a link with a range of departmental specialists in C&CS, Town Clerk's, Chamberlains, and City Surveyors who provide vital legal, HR, accounting, policy and technical support services to CLPS
- 7.3 In addition to advice on discrete procurement projects, officers may also contact the PP&C team for advice on any aspect of the City's Procurement Regulations, Procurement Guidelines, templates, wider policy and legislative matters pertaining to procurement and also regarding the regulatory and compliance aspects of procurement related committee reports.
- 7.4 When formal CLPS and C&CS comments or advice on Committee reporting is sought officers must endeavour to do so in good time and ideally two weeks before a final draft is required to be submitted.

## **8. Key Aspects of Procurement**

- 8.1 In cases where it is a legal requirement that the work has to be undertaken by a specific statutory undertaker it will only be necessary for the Chief Officer to agree terms with that statutory undertaker who will carry out the work.
- 8.2 The Officers having responsibility for the procurement of contracts shall ensure that:-
  - (a) all European Union (EU) Directives and other statutory requirements relative to the contract are complied with;
  - (b) all directives issued by the Town Clerk or Chamberlain, in order to secure the efficiency and effectiveness of the City's procurement arrangements, are complied with unless the Town Clerk or Chamberlain agrees that it is in the interests of the City not to do so in a particular case;
  - (c) the financial standing of the main contractor has been appraised by the Chamberlain for all contracts with an estimated value over £150,000 and financial security is obtained where necessary against default on the part of any nominated or named sub-contractors or suppliers employed on the contract. Officers shall liaise with the Chamberlain when arriving at the level and form of the security thought necessary, and regard shall be given to the costs and risks involved. Consideration should be given to the following:



- the sufficiency of the main contractor's obligations to the City in respect of the financial consequences of such defaults
- obtaining collateral warranties from the nominated sub-contractors or suppliers where necessary, and in the case where the main contract is being entered into with a company that is part of a larger group, a parent company guarantee from the ultimate holding company may be required. Draft forms of collateral warranties and / or parent company guarantees are available from the Comptroller & City Solicitor and, when deemed to be required, should form part of the tender documentation.
- whether it may be necessary to require a deed of vesting or bond to cover materials or goods purchased in advance of entering into the main contract. If needed C&CS can advise.
- assessment of potential risks and the views of the Insurance Officer must be sought to determine those Insurances and limits which should be maintained, and whether a limitation on liability is to apply to the contract or contracts being procured.
- agreed strategy to address and agree contract payment and price management terms, including but not limited to, pricing schedules, deposits, performance milestones, payment approvals, price adjustments and any other terms deemed necessary to safeguard the City's operational and commercial interests

**8.3** Legislation applying the EU Procurement Directive, (enshrined in the Public Contracts Regulations 2006) to the City of London Corporation only does so in its capacities as a local or police authority. The City has, however, decided to apply the Directive across all its funds except in cases where there is a satisfactory business case, inclusive of risk assessment, not to do so. Such action must be authorised by the Chamberlain who, before exercising this power, shall seek and obtain the comments of the Chairman and Deputy Chairman of the relevant committee or, failing either of them, their nominees together with any other Members he deems appropriate. If the proposal involves a recharge to the City Fund the advice of the Comptroller & City Solicitor must also be sought.

**8.4** Officers shall take such action as is reasonable to satisfy themselves that the City will receive value for money in procurement, in accordance with best value principles<sup>1</sup> and in compliance with the requirements of both English and EU law. This will normally involve the seeking of competitive tenders or quotations in accordance with EU Directives, these Procurement Regulations, and the City's advertising and other thresholds set out in this document.

**8.5** Only in a very limited number of instances is it not necessary to seek a competitive tender or quotations:-

- (a)** for certain types of procurement contracts such as single supplier framework agreements<sup>2</sup>;
- (b)** when appointing Counsel;

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<sup>1</sup> Best Value principles are set out in the Supporting Guidelines on the City's Intranet.

<sup>2</sup> It should be noted that the majority of framework agreements have more than one supplier and these require a mini-competition to be carried out

(c) where the estimated contract price for works, supplies and/or services (excluding schedule of rates contracts and professional consultants) is below £400,000 and the Chief Officer wishes to reappoint a contractor using rates previously shown to represent value for money in prior competition on earlier phases: provided always that any additional phases had been previously identified to all tenderers at the initial tender advertisement and invitation stage; and such action is in compliance with the public procurement regulations

(d) <sup>3</sup>when there is only one supplier that can be used, for example in acquiring necessarily compatible Information and Communications Technology (ICT) equipment, and/or a supplier or framework has been mandated by Act of Parliament, Statutory Instrument, a central government department or a similarly nationally recognised body for any area of expenditure: provided always that:-

- approved funding provisions have been made;
- where expenditure is on behalf of the Police Committee, the Commissioner of Police has ensured that the intended purchase is satisfactory in meeting the requirements of the Force, and that there are no practical alternatives available;
- where expenditure is not on behalf of the Police Committee, the Chamberlain’s IS Director has been consulted and is satisfied that it conforms to the City’s IS strategy, and that the choice of supplier is reasonable.

(e) <sup>4</sup> for offers of employment and other contracts of employment including the appointment of performers and members of their entourages by the Barbican Centre and Guildhall School of Music and Drama.

8.6 Employees are required to follow correct buying and payment processes. The City has adopted a **No PO (purchase order) No Pay** policy which requires, with some exceptions (e.g. utilities, rents and rates); departments to raise CBIS<sup>5</sup> purchase orders at the point when goods, services and works are ordered.

## 9. Waivers

9.1 In special or exceptional circumstances, the requirements of the Procurement Regulations to the seeking of tenders or quotations may be waived provided one of the following authorisations has been received:

Estimated Contract Cost	Approval Required by
Up to £50,000	Chief Officer must be in writing
Over £50,000 and up to £2,000,000	Spending Committee and Finance Committee (and Projects Sub-Committee for contracts let as part of projects) unless waiting for the next Spending Committee meeting would have a detrimental effect to the business the urgent waiver process in

<sup>3</sup> Compatible ICT equipment is only one possible example, others may include upgrades to existing plant or capital equipment

<sup>4</sup> Officers should consult the City’s Corporate HR Service for guidance

<sup>5</sup> There are some exceptions where purchase orders are raised in local systems such as Orchard Housing Repairs. In these instances subsequent invoices are received electronically in CBIS already matched.

	Regulation 9.2 applies
Over £2,000,000	Spending Committee, Finance Committee (and Projects Sub-Committee for contracts let as part of projects) and Court of Common Council

9.2 If waiting for a waiver to be granted by Spending Committee in accordance with Regulation 9.1 would have a detrimental effect to the business the following thresholds will apply to urgent waivers:

Estimated Contract Cost	Approval Required by
Over £50,000 and up to £500,000	Chamberlain may authorise waivers
Over £500,000 and up to £2,000,000	Town Clerk in consultation with Finance Committee Chairman (or Deputy Chairman in Chairman's absence)

9.2.1 All waivers granted in accordance with Regulation 9.2 must be reported to the next Spending Committee.

9.2.2 Officers seeking an urgent waiver from the Chamberlain or Town Clerk in accordance with the thresholds in Regulation 9.2 must complete a formal report with a template available from City Buyer portal.

9.3 Officers relying on a waiver from their Chief Officer for procurements up to £50,000 must present a signed **waiver form** available from City Buyer and the CLPS Sourcing team. Chief Officers may delegate authority for senior officers in their department to sign waivers on their behalf but any such lists of authorised officers must be provided to CLPS. Chief Officers will still be accountable for any waivers signed on their behalf.

9.4 Chief Officer Waivers for procurements up to £50,000 can either be granted on a single order or contract basis or be applied to an aggregated group of purchases for a particular period up to the approvals thresholds.

9.5 The Chamberlain shall produce a retrospective report for the Finance Committee on all the waivers they, the Town Clerk and Chief Officers have granted in the previous quarter.

9.6 **It is not lawful for officers or members to waive compliance with the EU Procurement Directives.**

9.7 In the event of an emergency, officers are authorised to depart from the requirements of these Procurement Regulations to meet the exigencies of the situation. Any such action taken is to be reported in writing at the earliest opportunity to the appropriate Committee and the Chamberlain and a formal record of the actions taken must be made.

## 10. Contract Letting

10.1 Approvals for contracts to be let as part of projects will be sought via the City's approved Project Approval Procedure.

10.2 For all contracts to be let, Officers should refer to the Procurement Thresholds section of these Regulations.

10.3 Depending on estimated values and on whether they are project related or not, Members will need to be involved at appropriate stages.

10.4 For non-project related contracts, depending on the estimated contract value and the per annum contract value, there may be 3 stages of committee involvement:-

**Stage (1)** the relevant Spending Committee(s) agrees the high level evaluation criteria to be applied in the selection process;

**Stage (2)** the relevant Spending Committee(s) receives a ‘for information’ update following supplier short-listing;

**Stage (3)** The Chamberlain, Category Board as delegated by the Chamberlain, or relevant Spending Committee(s) receives the final recommendation on contract award, and depending on the estimated per annum contract value also the Finance Committee and Court of Common Council as shown in the table below

Estimated Contract Cost	Approval Required by	Stages
<sup>6</sup> Less than EU Threshold	There is no general requirement to report to committee but rules should be followed as set out in the Procurement Thresholds Section of these Regulations	
<b>Estimated Contract Cost (per annum)</b>	<b>Stage (3) Approval Required by</b>	
Above EU Threshold in total but less than £2m pa	Chamberlain or CLPS Category Board as delegated by the Chamberlain	3
Above £2m pa to £4m pa	Spending Committee and Finance Committee	1,2 and 3
£4,000,000 and above pa	Spending Committee, Finance Committee and Court of Common Council	1,2 and 3

10.5 Corporate collaborative contracts (which would otherwise need to be reported to multiple committees and for this purpose multiple means more than two) may be reported to Finance Committee. In these instances, the appropriate CLPS Category Manager will facilitate consultation with the chairmen of the other relevant committees and a statement to that effect included in the report.

10.6 If the recommended sourcing approach is to join a framework<sup>7</sup> then in accordance with the thresholds in the above table, there may still be a need for the spending committee to agree the selection criteria weightings prior to the call for competition and for the outcome of the mini-competition to be reported. However, the stage 2 short-listing report will not be applicable. The Chamberlain and Chief Officers should satisfy themselves that any contracts to be let that would not otherwise need to be reported because they do not fall within the thresholds above for committee reporting purposes, do not have a sensitivity that would require them to be reported.

<sup>6</sup> The current EU Threshold for Supplies and Services is £173,934 (at 1 November 2013). A new EU Procurement Directive has been agreed in October 2013 and will be implemented into UK law in 2014 date of implementation to be advised. This will increase the current EU thresholds significantly and consequently the City’s own thresholds will also need to be revised when the new directive is implemented.

<sup>7</sup> Further information on the use of Framework Agreements can be found in section 12 of these Regulations and the separate Supporting Guidelines

10.7 In accordance with Regulation 10.4 above, where the Chamberlain has delegated authority to approve the lettings of non-projects related contracts above the EU thresholds but less than £2 million per annum, officers must present the Chamberlain with a formal report from the Chairman of the relevant procurement Category Board. The Chamberlain will produce a retrospective summary report of all approved contracts lettings for the Finance Committee in the previous quarter.

10.8 When exercising delegated authority in accordance with these Regulations, the Chamberlain may, in exceptional circumstances, refer decisions to the Finance or appropriate spending Committee. Exceptional circumstances may include sensitive issues such as conflicts of interest, significant alteration to front line service provision, staffing matters, changes to City policies, London Living Wage or other such matters arising from procurement strategies or contracts awards.

10.9 All contracts let for works above £400,000 and above £250,000 for Supplies and Services contracts must be sealed by the City and executed as a deed unless the C&CS advise otherwise. The effect of having a deed in place creates an extended period of limitation of 12 years during which the City can enforce its contractual rights and may be preferable in respect of other contracts, even if their value falls under the financial threshold mentioned in this paragraph e.g. where problems may not surface for some years and / or involve structural considerations. If in doubt officers must contact the Comptroller & City Solicitor for advice before seeking tenders.

## 11. Increases in Contract Value

11.1 For all contracts where specific provision has been previously approved and expenditure will exceed<sup>8</sup> the approved provision (after allowing for inflation) by more than 20% or £400,000, whichever is the lowest, expenditure shall only be incurred when the following authorisations have been obtained:-

Expenditure	Approval by
Less than £500,000	Spending Committee and the Committee(s) which considered the Detailed Options Appraisal or Tender Evaluation Report
£500,000 and above	Spending Committee, the Committee(s) which considered the Detailed Options Appraisal or Tender Evaluation Report and the Court of Common Council

11.2 The alteration of the terms and conditions or the suspension or abrogation of the proper performance of any contract, or part or parts thereof, to which the City of London Corporation is a party, shall be subject to the approval of the relevant Spending Committee.

## 12. Framework Agreements

12.1 The City Corporation is increasingly making use of Frameworks. This includes frameworks established directly by and for the City, such as the framework for Minor Works and Refurbishment, including Mechanical and Electrical Services for works valued between £3,000 and £150,000. It also includes frameworks established by other public bodies and which are available to the City Corporation and which are approved by the Chamberlain or Committee in accordance with the Contracts Lettings thresholds in

<sup>8</sup> If a contract includes flexibility for increases/decreases in revenue spend with a supplier because of the anticipation of additions/subtractions to scope, e.g., new properties coming in to scope for a corporate cleaning services contract, and the increase/decrease in budgetary provision essentially forms part of a separate report (such as for a building acquisition) this regulation would NOT apply.

Regulation 10.4 a use, such as the iESE Contractors framework for project works over £1m. The number of frameworks in use is likely to increase.

- 12.2 Frameworks provide the City Corporation with options and alternatives. They provide a pre-competed route to market and hence reduce the administrative burden of running a full procurement procedure each time so it is envisaged that where a framework is available it will be used. Framework agreements can be held with a single supplier or they may include several suppliers. However, they do not give contractors any exclusive rights to undertake work or supply goods and services to the City, and the City is not obliged to procure through the frameworks.
- 12.3 If officers decide to create a City framework a formal procurement process must be undertaken in accordance with the City' tendering thresholds.
- 12.4 Approval for the award of a framework agreement will be subject to the City's contracts letting thresholds in Regulation 10.4. Officers must calculate the threshold based on the estimated value of the City's potential expenditure via the framework over the period that usage is required.
- 12.5 The City may also decide to access and utilise frameworks awarded by other public bodies as an alternative to open tendering.
- 12.6 The use of call offs from approved external frameworks is also subject to the contract lettings approval thresholds in Regulations 10.4.

### **13. Access Agreements**

- 13.1 In the search for Best Value and more collaborative methods of procurement many Local Authorities, and other public bodies which are Contracting Authorities for the purposes of the Public Contracts Regulations 2006, are establishing Framework Contracts. Such contracts create a pool of contractors, consultants or suppliers procured by competitive and EU compliant tender procedures which are available for engagement by other Local Authorities without the need for an extended tender period.
- 13.2 The ability to access externally procured Frameworks is sometimes governed by a formal Access agreement. The Lead Authority for the Framework will often, for reasons of confidentiality, require that any other parties wishing to access the Framework sign an Access Agreement before releasing full details of the terms of the Framework. Without the full details officers are not in a position to report to Members about the potential benefits of accessing any such Framework.
- 13.3 Aside from confidentiality obligations such agreements often contain a requirement for the party wishing to access the Framework to give indemnities to the Lead Authority to protect the Lead Authority from claims. The form of such indemnities vary so it is not possible to be specific as to what types of indemnity may be required, although breaches of confidentiality and Data Protection breaches would not be uncommon subjects.
- 13.4 To avoid the need for separate reports to be considered each time the existence of a potential Framework contract becomes known to officers a resolution has been passed by Finance Committee authorising the Comptroller & City Solicitor to sign such agreements on the City's behalf following approval of the terms by the Chamberlain, including any indemnity.
- 13.5 It is a requirement that the signing of any access agreement should subsequently be reported to the relevant Spending Committee for information.

## 14. Due diligence

- 14.1 Officers wishing to utilise external frameworks for procurements in excess of the EU tender thresholds must also undertake a formal due diligence process. A due diligence checklist has been prepared for this purpose in conjunction with C&CS and is published on the City Buyer section of COLNET.
- 14.2 The use of frameworks must be based on best value principles; they must not be used automatically without officers first having a sound business case demonstrating why the use of a framework would deliver better value than a request for quotation or an open tender.
- 14.3 Because of the legal and commercial complexities inherent in the creation and utilisation of framework agreements, the CLPS, must manage both the procurement of the City's own framework agreements and access to external frameworks.
- 14.4 The CLPS must consult with C&CS at appropriate stages of the due diligence process and in relation to the signing of access agreements in accordance with Regulation 13.1 – 13.5.
- 14.5 After a framework agreement has been approved for use by the Chamberlain or Committee in accordance with the Contracts Lettings thresholds in Regulation 10.4 and the call off thresholds in Regulation 12.4, officers can make subsequent procurements via the framework in accordance with its scope and estimated value thresholds. Each framework must be used in accordance with its underlying rules, such as any requirement to run mini competitions.
- 14.6 The due diligence process may be waived in writing by the Head of CLPS on a case by case basis, when an external framework agreement is to be used for low risk low value purchases of supplies below the EU tendering thresholds.

## 15. Procurement Thresholds

- 15.1 The following section outlines the City Corporation's procurement thresholds for **requesting quotations and inviting tenders**.
- 15.2 Thresholds should be calculated on the basis of the whole estimated contract value over the life of a contract and not the annual value.
- 15.3 When calculating thresholds for procurements or contracts lettings approvals, officers must also factor into the estimated contract value, provision for subsequent phases of a project and appropriate contract extension clauses, if they wish to retain the possibility of continuing the next phase of the project or contract with the original contractor. Failure to do this may result in officers having to conduct a fresh tender or seek a formal waiver of these regulations.
- 15.4 All contracts over £100k for Supplies & Services and Professional Consultancy, and above £400,000 for Works, must be advertised.
- 15.5 The thresholds cover three main service areas: (1) Supplies and Services (2) Professional Consultancy, and (3) Works. These thresholds are intended to provide comprehensive guidance to officers and departments undertaking procurements, but all procurements are unique and in any cases of doubt, officers should contact the CLPS in the first instance to clarify their requirements.

## 16. Supplies and Services (excluding Professional Consultancy)



16.1 Supplies (or goods), are defined as physical, tangible products, capable of being delivered to a purchaser and involves the transfer of ownership from seller to buyer (e.g. a computer, vehicle). Services are the action of helping or doing work for somebody rather than simply supplying goods e.g. accountancy, transportation, research, cleaning and security services etc. COL defines consultancy as a special kind of service for which separate procurement rules apply.

Type of Procurement	Threshold	Basis and Guidance
Purchases	£0 – £2,000	Low value purchases can be undertaken at officers' discretion <sup>9</sup> , providing Best Value Principles are observed.
Minor Procurement	£2,001 – £20,000	A minimum of three firms to be asked to quote one of which should be: local, a small or medium sized enterprise (SME) or a Social Enterprise.
RFQ	£20,001 – £100,000	Request for Quote (RFQ) – a minimum of three firms to be invited to submit written quotations including: one local firm, a small or medium sized enterprise (SME) or a Social Enterprise.
Advertise	£100,001 – <sup>10</sup> EU threshold	Written RFQ or Tender – a minimum of three firms to be invited to submit written quotations or tenders, which must be advertised via Pro Contract ( <a href="http://www.londontenders.org">www.londontenders.org</a> )
OJEU	Above EU threshold	<b>Part A</b> services must be advertised in the Official Journal of the European Union ( <a href="http://ted.europa.eu">http://ted.europa.eu</a> ) via ProContract (contact CLPS Sourcing Support Team). <b>Part B</b> services should be advertised on Pro Contract / London Tenders Portal and tendered accordingly. A minimum of <b>five</b> tenders should be sought.

## 17. Professional Consultancy

17.1 The City of London Corporation uses consultants to provide specialist advice which is not available within COL or which officers cannot undertake due to other commitments.

Type of Procurement	Threshold	Basis and Guidance
Minor Consultancy	£0 – £50,000	Officers' discretion, providing Best Value and Local Procurement principles are observed.
RFQ	£50,001 – £100,000	Written Request for Quote (RFQ) or tender a minimum of three firms to be invited to submit written quotations or tenders one of which should be local, a small or medium sized enterprise (SME) or Social Enterprise
Advertise	£100,001 – EU threshold	Written RFQ or Tender – a minimum of three consultants to be invited to submit written quotations or tenders, which must be advertised

<sup>9</sup> Officer's discretion means that officers have the choice of either obtaining more than one quotation, or obtaining a quotation from a single supplier. Officers' discretion does not apply if a corporate contract is available, when it should normally be used.

<sup>10</sup> The current EU Threshold for Supplies and Services is £173,934 (at 1 November 2013). A new EU Procurement Directive has been agreed in October 2013 and will be implemented into UK law in 2014 date of implementation to be advised. This will increase the current EU thresholds significantly and consequently the City's own procurement thresholds will also need to be revised when the new directive is implemented.



		using Pro Contract ( <a href="http://www.londontenders.org">www.londontenders.org</a> )
<b>OJEU</b>	<b>Above EU threshold</b>	Tenders must be advertised in the Official Journal of the European Union ( <a href="http://ted.europa.eu">http://ted.europa.eu</a> ) via ProContract (contact CLPS Sourcing Support Team). A minimum of <b>five</b> tenders should be sought.

## 18. Works

18.1 “Construction Work” means the carrying out of any building, civil engineering or engineering construction work. The City’s procurement thresholds below should be used in conjunction with the Standing Orders.

Type of Procurement	Threshold	Basis and Guidance
<b>Purchases</b>	<b>£0 – £2,000</b>	Low value purchases can be undertaken at officers’ discretion, providing Best Value Principles are observed
<b>Minor Procurement</b>	<b>£2,001 – £50,000</b>	A minimum of three firms to be asked to quote one of which should be local, a small or medium sized enterprise (SME) or a Social Enterprise.
<b>Works RFQ or ITT</b>	<b>£50,001 – £400,000</b>	Request for Quote (RFQ) or Invitation to Tender (ITT) – a minimum of three firms to be invited to submit written quotations or formal tenders including one: local firm, SME or Social Enterprise. ProContract must be used.
<b>Works Advertise</b>	<b>£401,000 – EU threshold</b>	A minimum of three firms Invited to Tender, and the opportunity must be advertised via Pro Contract ( <a href="http://www.londontenders.org">www.londontenders.org</a> ).
<b>Works OJEU</b>	<b>above EU threshold</b>	Tenders must be advertised in the Official Journal of the European Union ( <a href="http://ted.europa.eu">http://ted.europa.eu</a> ) via ProContract (contact CLPS Sourcing Support Team). A minimum of <b>five</b> tenders should be sought.

18.2 For procurements below the City’s advertising thresholds, officers are expected to make every effort to comply with the requirement to invite at least one local, SME or Social Enterprise supplier. Although it is not possible to maintain a comprehensive list of all local, SME or Social Enterprise suppliers for everything the City may purchase, CLPS can assist with the identification of suitable local, SME and Social Enterprise suppliers utilising close links with various business development agencies such as Supply Cross River and other agencies accredited by the City’s Economic Development Office.

## 19. E-sourcing

19.1 The City has implemented an eSourcing system (ProContract) managed by the Sourcing Support team in CLPS.

19.2 Pro Contract automates much of the procurement processes required to invite tenders and quotations. The system automates correspondence, timescales and tender submissions, and maintains a robust audit trail. As shown in the tables above, where the type of procurement is described as ‘Advertise’ and for the OJEU thresholds above those levels, ProContract should be used.

19.3 The Sourcing Support team manage officer registrations, role allocations, systems updates, training and tender administration.

- 19.4 Departments must notify the Sourcing Support team when officers with procurement duties requiring access to Pro Contract join the City, transfer to another department, change jobs or leave the City so that the system can be updated accordingly.
- 19.5 Officers may not conduct RFQ's or tenders without authorisation and guidance from the Sourcing Support team.
- 19.6 Tenders may only be opened on Pro Contract by authorised verifiers either in the Sourcing Support team or by officers authorised to act as verifiers by that team.
- 19.7 Verifiers are responsible for opening the electronic tender seal after the tender return date has expired, checking the tender documents for compliance and releasing compliant tenders to members of the procurement project team to undertake the tender evaluation process.
- 19.8 Verifiers must not be part of the procurement team and a member of a procurement team must not open the tenders for the project to which they have been assigned.
- 19.9 Late tenders must not be accepted. If a bidder subsequently appeals against the City's decision to reject their tender, the Sourcing Support team will conduct an immediate investigation.
- 19.10 Unless it can be proven by the bidder, that a Pro Contract failure or some other exceptional circumstance wholly outside of the bidders control, capable of independent verification, prevented submission of the tender, and that such failure occurred before the designated tender submission deadline, the City's decision will be upheld. Issues within the bidders' control such as the failure of their IT system would not normally be acceptable.
- 19.11 In very exceptional circumstances the Head of CLPS may delegate authority for Chief Officers to conduct specialist tenders on Pro Contract independently of CLPS. The only such exception currently is City Surveyors Department (CSD) which has a trained contracts unit which is authorised to conduct tenders for selected works contracts. Such arrangements will be regularly reviewed by the Head of CLPS and may be amended in light of organisational changes.
- 19.12 Officers may not use any alternative means of inviting or receiving tenders other than Pro Contract unless authorised in writing to do so by the Head of CLPS.

## **20. Contracts Register**

- 20.1 The CLPS is responsible for maintaining and updating a Contracts Register for the City.
- 20.2 Operational responsibility for maintaining and updating the system resides with the Sourcing Support team.
- 20.3 Officers who award contracts for the City must notify the Sourcing Support team as soon as a new contract is awarded or provide the information to the team when requested.
- 20.4 Officers who manage contracts must notify the Sourcing Support team when the status of existing contracts change e.g. when they are extended, completed, terminated or extended or provide the information to the team when requested.

## 21. Responsible Procurement

21.1 The City of London recognises that, as an organisation spending money on goods and services, we have a duty to investigate environmentally and socially acceptable alternatives and whenever practicable, purchase products and services which have a positive impact on our environment and surrounding communities. As a result, the City of London encourages its employees involved in procurement to consider three key areas:

- Equalities
- Economic Regeneration
- Environmental Sustainability

21.2 For contracts at or above £250k, officers are required to embed responsible procurement into the core of the contract (where relevant to the contract or contained in existing policy) and weighted at least 10% of the technical contract evaluation criteria. A matrix is provided to assist with the assessment of material issues. Further information to assist with the assessment of material issues can be found in the Responsible Procurement<sup>11</sup> pages on the City Buyer portal.

21.3 All contracts lettings reports must include a section on the responsible procurement outcomes and benefits of the recommended contract award and how those benefits are to be monitored and reported for the duration of the contract.

21.4 The CLPS collaborate closely with technical experts in Responsible Procurement from the Economic Development Office (EDO) and the Town Clerks Policy Division. Senior representatives from these units are members of the various CLPS Category Boards and assist with developing and implementing sourcing strategies for the City's major procurement projects to ensure that the City's responsible procurement policy is delivered and monitored appropriately.

## 22. Local, SME and Social Enterprise Procurement Directive

22.1 Except where there is a contract already in place, the Local, SME and Social Enterprise Procurement Directive requires officers to invite either a UK based SME or Social Enterprise, or a local supplier from one of the Local Procurement target boroughs to quote for all supplies and services contracts valued between £2,000 and £100,000, works contracts valued between £2,000 and £400,000, and consultancy contracts between £50,000 and £100,000 where possible. This is an auditable requirement.

22.2 In addition to the **City of London**, the Local Procurement target boroughs selected due to the high levels of deprivation are: **Tower Hamlets, Hackney; Islington; Camden; Lambeth; Southwark; Newham; Greenwich; Haringey; Lewisham; Barking and Dagenham; Waltham Forest.**

22.3 In order to be awarded the contract, the local business, Social Enterprise, or Small and Medium Sized supplier will have to provide a competitive quote or tender, which offers the best value for money to the City. Officers should continue to procure items/services through contracts set up centrally. Details of corporate contracts are on the City Buyer portal.

22.4 The CLPS Sourcing team will work in partnership with officers and appropriate external organisations such as Supply Cross River and Social Enterprise UK to source suitable SME, Social Enterprise or local suppliers.

## 23. Community Benefits Schedule

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<sup>11</sup> <http://colnet/Departments/Chamberlains/City%20Buyer/Pages/Policy/Responsible-Procurement.aspx>

23.1 For contracts above EU threshold the potential of community benefits should be assessed in co-operation with the CLPS<sup>12</sup>. This scheme encourages suppliers to enter into voluntary agreements to employ, sub-contract and procure in areas defined as ‘most deprived’ in the English Index of Deprivation, to the value of 10% to 20% of the contract value.

## 24. Public Services (Social Value) Act 2012

24.1 The Public Services (Social Value) Act 2012 requires the City to consider how a procurement project might improve the economic, social and environmental well-being of the relevant area when procuring **Public Services Contracts** above the EU threshold. . The Act does not apply to Supplies or Works contracts.

24.2 Undertaking legally compliant procurement projects which meet the City’s obligations under the Act requires expert knowledge and clear procedures. For that reason the CLPS must be consulted or manage all procurements with Social Value Act considerations.

24.3 When planning procurement for a contract that is subject to the Act, the City must determine what internal or external consultation should be undertaken regarding matters that need to be considered under the Act.

24.4 Those matters to be considered must be relevant to the service that is to be procured and what is proportionate in all circumstances to take those matters into account.

24.5 The CLPS will ensure that formal records are made of all Social Value Act and other Responsible Procurement considerations as the City will be expected to demonstrate compliance with the statute.

24.6 Once the planning phase has been completed the procurement must be conducted in accordance with the EU regulations.

24.7 The Best Value duty still applies and must be considered throughout the procurement process and the Public Services (Social Value) Act 2012 does not remove this duty

## 25. London Living Wage

25.1 The London Living Wage (LLW) Campaign was launched in 2001 by London Citizens, a broadly-based organisation including faith groups, trade union branches, schools and community organisations. The LLW is an annual hourly wage level calculation characterised as a wage rate that if earned would place working households in London above “the threshold of poverty, even after benefits and tax credits are taken into account” The LLW is adjusted every year in October and implemented between then and the following April and is currently <sup>13</sup>£8.80 per hour.

25.1 Unlike the national Minimum Wage (<sup>14</sup>currently £6.31 for workers over 21) which is a statutory obligation, the LLW has no standing in law and its implementation by employers is entirely voluntary.

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<sup>13</sup> At 1 November 2013

<sup>14</sup> At 1 October 2013

- 25.2 The Court of Common Council resolved on 8<sup>th</sup> March 2012, “to support the principle of LLW, commit to continuing to pay City Corporation directly-employed staff at or above the LLW; and promote the LLW for the City Corporation’s contractors, taking account, like other organisations adopting the LLW, of the legal, financial and operational circumstances that apply when considering contracts on a case-by case basis”
- 25.3 The City has embraced the LLW in the interests of wellbeing because there is an inherent benefit to service delivery where better pay will attract and retain a higher calibre of staff. The City also recognises the LLW as a positive policy initiative that aims to lift people out of poverty, and it is particularly relevant to London given large income inequalities and high living costs.
- 25.4 The LLW only applies to contracts where contractors involved in service delivery are situated in the Greater London Area as defined by the Greater London Authority (GLA). The LLW does not usually apply to supplies contracts.
- 25.5 Procedures to apply the City’s LLW policy for the City’s staff, contracts and procurement were approved by Policy and Resources, Establishment and Finance Committees in July 2012.
- 25.6 The City’s policy recognises that consideration of LLW in contracts must be undertaken on a case by case basis and that it is not lawful to adopt a blanket policy to compel employers to adopt a voluntary wage rate.
- 25.7 This means that LLW considerations are best addressed during the procurement process every time new contracts are created.
- 25.8 Undertaking legally compliant procurement projects at the same time as successfully delivering the City’s LLW policy, from initial planning to contract award, requires expert knowledge and clear procedures. For that reason the CLPS must manage all procurements which have LLW considerations.**26. Contracts procured by third parties, subsequently assigned to the City**
- 26.1 For the avoidance of doubt, the consultation with CLPS as required by Regulation 1.4 on all opportunities and proposals for letting of contracts, and the provisions of Regulation 1.3 providing that the Procurement Regulations apply to all procurements undertaken by any City department, shall not apply to those contracts which have been procured by a third party and then assigned to the City following the acquisition by, or reversion to, the City of long leasehold interests or the acquisition of freehold interests.
- 26.2 These contracts will be handled directly by the City Surveyor who shall ensure in consultation with the Comptroller and City Solicitor that the required due diligence on the contracts is undertaken on any contracts which are to be assigned or novated to the City following the completion of the commercial transaction.

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# Agenda Item 21

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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