

PLEASE BRING THIS AGENDA WITH YOU

1

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 12th day of June, 2014.

JOHN BARRADELL,  
*Town Clerk & Chief Executive.*

*Guildhall,  
Wednesday 4th June 2014*

Peter Estlin

Michael Raymond Mainelli

}

*Aldermen on the Rota*

1 Question - That the Minutes of the last Court 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 Resolutions of the Annual Wardmotes from the Wards of Aldersgate, Bishopsgate, Broad Street and Castle Baynard are the subject of a separately printed and circulated report for consideration.

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

\* denotes a Member standing for re-appointment

# denotes less than five years' service on the Court

< denotes less than 10 years' service on the Court

★ Denotes appointed.

a) One Member on the Gresham Committee (City Side) for the balance of a term to expire in April 2016.

|                                 | Votes |
|---------------------------------|-------|
| George Marr Flemington Gillon   | 59★   |
| Michael Welbank, M.B.E., Deputy | 47    |

b) Policy and Resources Committee (five vacancies).

One vacancy must be filled by a Member with less than ten years' service on the Court.

|                                     | Votes |
|-------------------------------------|-------|
| < Randall Keith Anderson            | 6     |
| <* John Alfred Bennett, Deputy      | 49★   |
| < Henry Nicholas Almroth Colthurst  | 37    |
| < Wendy Marilyn Hyde                | 44★   |
| * Jeremy Paul Mayhew, M.A, M.B.A.   | 70★   |
| * Wendy Mead                        | 56★   |
| <* Hugh Fenton Morris               | 45★   |
| John George Stewart Scott, J.P.     | 24    |
| Jeremy Lewis Simons, MSc.           | 23    |
| < Thomas Charles Christopher Sleigh | 40    |
| <* James Richard Tumbridge          | 38    |

c) Hospitality Working Party of the Policy and Resources Committee (one vacancy).

|                                       | Votes |
|---------------------------------------|-------|
| Kenneth Edwin Ayers, M.B.E., Deputy   | 25    |
| George Marr Flemington Gillon         | 47    |
| * Richard David Regan, O.B.E., Deputy | 34    |

*A re-ballot will be necessary between the two candidates with the highest number of votes as there was no majority, as required by Standing Order No 10(4)(a)*

d) Privileges Sub (Policy and Resources) Committee (three vacancies).

|  | Votes |
|--|-------|
| * William Harry Dove, M.B.E., J.P., Deputy | 78★   |
| George Marr Flemington Gillon              | 78★   |
| Charles Edward Lord, O.B.E., J.P.          | 55    |
| * Richard David Regan, O.B.E., Deputy      | 71★   |

e) Social Investment Board (two vacancies).

One vacancy must be filled by a Member with less than five years' service on the Court.

|                               | Votes |
|-------------------------------|-------|
| # Nicholas Bensted-Smith      | 38    |
| * The Revd. Dr. Martin Dudley | 47★   |
| # Ann Holmes                  | 43    |
| # Wendy Marilyn Hyde          | 68★   |

f) Audit and Risk Management Committee (three vacancies).

|                               | Votes |
|-------------------------------|-------|
| Randall Keith Anderson        | 33    |
| Nicholas Bensted-Smith        | 34    |
| Christopher Paul Boden        | 26    |
| * The Revd. Dr. Martin Dudley | 46★   |
| * Ian David Luder, Alderman   | 81★   |
| Graeme Martyn Smith           | 44★   |

g) Police Committee (three vacancies).

One vacancy must be filled by a Member with less than five years' service on the Court.

|   | Votes |
|---|-------|
| # Nicholas Bensted-Smith                | 15    |
| # Lucy Roseanne Frew                    | 77★   |
| * Stanley Keith Knowles, Deputy         | 66★   |
| * Richard David Regan, O.B.E., Deputy   | 59★   |
| # James Michael Douglas Thomson, Deputy | 54    |

h) Board of Governors of the Guildhall School of Music & Drama (two vacancies).

|                                | Votes |
|--------------------------------|-------|
| * John Douglas Chapman, Deputy | 49    |
| Lucy Roseanne Frew             | 62★   |
| Ann Holmes                     | 24    |
| William Russell, Alderman      | 61★   |

## i) Gresham Committee (City Side) (two vacancies).

|  | Votes |
|--|-------|
| Kenneth Edwin Ayers, M.B.E., Deputy      | 54★   |
| * Wendy Mead                             | 80★   |
| * John Richard Owen-Ward, M.B.E., Deputy | 21    |
| John George Stewart Scott, J.P.          | 41    |

## j) Barbican Centre Board (three vacancies).

One vacancy must be filled by a Member with less than five years' service on the Court.

|  | Votes |
|--|-------|
| # Randall Keith Anderson                 | 4     |
| # Lucy Roseanne Frew                     | 24    |
| * Tom Hoffman                            | 47★   |
| * Vivienne Littlechild, J.P.             | 21    |
| # Judith Lindsay Pleasance, M.A. (Hons)  | 34★   |
| # Adam Fox McCloud Richardson            | 20    |
| # William Russell, Alderman              | 30    |
| John George Stewart Scott, J.P.          | 17    |
| * Dr Giles Robert Evelyn Shilson, Deputy | 63★   |

## k) The City Bridge Trust Committee (three vacancies).

|  | Votes |
|--|-------|
| * Simon D'Olier Duckworth, D.L.                    | 70★   |
| * The Revd. Stephen Decatur Haines, M.A,<br>Deputy | 78★   |
| Andrew Stratton McMurtrie                          | 48    |
| * Wendy Mead                                       | 90★   |

## l) Standards Committee (four vacancies).

|  | Votes |
|--|-------|
| Nicholas Bensted-Smith                     | 53    |
| Michael Hudson                             | 58★   |
| Alastair John Naisbitt King, M.Sc., Deputy | 60★   |
| Virginia Rounding                          | 74★   |
| Thomas Charles Christopher Sleigh          | 77★   |

## m) Finance Committee (one vacancy).

|                              | Votes |
|------------------------------|-------|
| John Douglas Chapman, Deputy | 40    |
| Ann Holmes                   | 37    |
| Adam Fox McCloud Richardson  | 27    |

*A re-ballot will be necessary between the two candidates with the highest number of votes as there was no majority, as required by Standing Order no. 10(4)(a).*

## n) Port Health and Environmental Services Committee (one vacancy).

|   | Votes     |
|---|-----------|
| Nigel Kenneth Challis, M.A., FCA, FCSI (Hons) | 36        |
| Dennis Cotgrove, B.A.                         | Withdrawn |
| Ann Holmes                                    | 13        |
| Wendy Marilyn Hyde                            | 46★       |

o) Community and Children's Services Committee (eight vacancies).

|                                      | Votes |
|--------------------------------------|-------|
| Sir Michael David Bear, Alderman     | 91★   |
| Revd. William Campbell-Taylor        | 28    |
| Karina Helen Dostalova               | 88★   |
| John Stuart Penton Lumley, Professor | 80★   |
| Vivienne Littlechild, J.P.           | 89★   |
| Barbara Patricia Newman, C.B.E.      | 87★   |
| Chris Punter                         | 84★   |
| Delis Regis                          | 92★   |
| Philip John Woodhouse                | 82★   |

9 To appoint the following:-

a) Education Board (ten vacancies for varying terms with two places reserved for Members of the Education Strategy Working Party)  
(Contest)

*# denotes a Member of the Education Strategy Working Party*

Nominations received:-

John Alfred Barker, O.B.E., Deputy

#John Alfred Bennett, Deputy

Nigel Kenneth Challis, M.A., FCA, FCSI (Hons)

#Henry Nicholas Almroth Colthurst

Dennis Cotgrove, B.A.

#The Revd. Dr. Martin Dudley

Peter Estlin, Alderman

Jeffrey Richard Evans, Alderman

Stuart John Fraser, C.B.E.

Ann Holmes

Michael Hudson

#Catherine McGuinness, M.A., Deputy

#Virginia Rounding

#William Russell, Alderman

#Ian Christopher Norman Seaton

b) Board of Governors of the City of London School for Girls (one vacancy for a term to expire in August 2018)  
(Contest)

Nominations received:-

Randall Keith Anderson

Nicholas Bensted-Smith

c) City Arts Trust (one Member for a four year term)

\* denotes a Member standing for re-appointment.

(No contest)

Nomination received:-

\*Tom Hoffman

10 QUESTIONS

11 MOTIONS

12 AWARDS AND PRIZES

**Guildhall School of Music & Drama - Granting of Taught Degree-Awarding Powers**

Report of the Chairman of the Board of Governors of the Guildhall School of Music & Drama

“I am delighted to announce that the Guildhall School of Music & Drama has been granted Taught Degree-Awarding Powers by the Privy Council of the United Kingdom.

Taught Degree-Awarding Powers gives UK higher education providers the right to award bachelor’s and master’s degrees. Until now, the Guildhall School’s degree programmes have been validated by larger institutions and solely by City University London since 2002.

The right to award its own degrees enables the School to take full ownership of the relationship between professional training and higher education, putting it in a prime position to respond rapidly to the developing needs of the performing arts and to drive change in the professions and in society.

David Willetts MP, Minister of State for Universities and Science, commented “The Guildhall School of Music & Drama has a long and prestigious track record in the UK...and it is right that institutions, such as Guildhall [Guildhall School of Music & Drama], that have met the rigorous standards necessary, should be able to award their own degrees.”

This is a major achievement and alongside the opening of Milton Court in 2013 will help to support the launch of an extended range of educational programmes and reflect an exciting new phase in the institution’s development. All those involved deserve our congratulations.

I commend this major accomplishment to the Court.”

13 **POLICY AND RESOURCES COMMITTEE**  
**(Mark John Boleat)**

8 May 2014

**Cheapside Business Improvement District**

The Cheapside Initiative (CI) has requested the City Corporation to promote the balloting of proposals for a Business Improvement District (BID) to be established along the length of Cheapside. We have considered this request and support the promotion of the ballot for the BID, with the CI acting as the delivery agents. Whilst the vast majority of the funding for the promotion of the BID has already been secured, we also believe the City Corporation should part fund the cost of promoting the BID and the cost of holding the ballot (estimated at £2,200).

The BID would allow CI to develop activities focusing upon the development and marketing of Cheapside as a retail and office destination and working with businesses to support corporate social responsibility. It is not intended that it should focus on the delivery of improved services such as policing or maintaining the environment and, as

a consequence, it will not intrude on the work of the City Corporation.

A printed and circulated report has therefore been submitted for your consideration and we commend its recommendation for the City Corporation to promote the development of a BID for the Cheapside area including the costs associated with it and also the CI acting as the delivery agents for the initiative.

**(A) HOSPITALITY WORKING PARTY OF THE POLICY AND RESOURCES COMMITTEE  
(Deputy John Bennett, Chief Commoner)**

29 April 2014, 16 May 2014

**A) 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> |
|---|-----------------------------------|-----------------|
| <u>Evening Standard Debate</u> (Debate on Scottish independence)  | Monday 30 June 2014               | Debate          |
| <u>Willis</u> (Reception on behalf of World Bank)   | Tuesday 1 <sup>st</sup> July 2014 | Reception       |
| <u>Lord Mayor's Appeal 2014</u>   | Friday 19 September 2014          | Dinner          |
| <u>UK Theatre</u> (Trade association representing the interests of the performing arts in the UK)   | Sunday 19 October 2014            | Lunch           |
| <u>Government of Gibraltar</u> (Annual reception in celebration of Gibraltar Day)   | Monday 20 October 2014            | Reception       |
| <u>City of London Pensioners' Reunion Committee</u> (Annual Reunion Lunch)  | Monday 3 November 2014            | Lunch           |
| <u>Lebanese International Finance Executives</u> (An organisation of senior Lebanese finance executives across the world who aim to help the Lebanese diaspora and support Lebanon) | Friday 14 November 2014           | Dinner          |
| <u>Save the Children</u> (Secret Winter Gala to raise funds and encourage support)  | Wednesday 19 November 2014        | Dinner          |
| <u>Team Army Sports Foundation</u> (Charity run by senior serving Army officers which aims to use sport to assist the welfare and increase the morale of the Armed Forces)          | Thursday 27 November 2014         | Dinner          |
| <u>London Bullion Market Association</u> (International trade association representing the London market for gold and silver bullion)   | Monday 1 December 2014            | Dinner          |
| <u>Lehman Brothers International (Europe)</u> (The company is now in administration, working on the realisation of company assets for the benefit of the company's creditors)       | Tuesday 9 December 2014           | Reception       |
| <u>Life's Kitchen</u> (On behalf of World Fuel)   | Saturday 13 <sup>th</sup>         | Dinner          |

|  |                          |         |
|--|--------------------------|---------|
| Services, a company specialising in the marketing and financing of aviation, marine and fuel products)                                     | December 2014            |         |
| <u>The Worshipful Company of Pavors</u> (Charity Burns Night Supper)   | Saturday 24 January 2015 | Dinner  |
| <u>Parent Community Association</u> (Biennial fundraising gala of the American School of London)   | Saturday 7 March 2015    | Dinner  |
| <u>The Worshipful Company of International Bankers</u> (Annual Banquet)  | Wednesday 11 March 2015  | Banquet |
| <u>City Property Association</u> (The CPA represents the interests of owners and occupiers of property in the City)                        | Thursday 26 March 2015   | Lunch   |
| <u>Spectra</u> (On behalf of Mary Kay Inc., an international manufacturer and distributor of skin care and colour cosmetics)               | Tuesday 5 May 2015       | Dinner  |
| <u>The Honourable Company of Air Pilots</u> (To host the annual Trophies and Awards Banquet)   | Thursday 29 October 2014 | Dinner  |
| <u>World Jewish Relief</u> (UK based international charity which aims to meet the needs of Jewish and other communities living in poverty) | Monday 23 November 2015  | Dinner  |
| <u>International Financial Data Services</u> (Company to provide investor and policyholder administration and technology services)         | Tuesday 8 December 2015  | Dinner  |

## (B) 101 (City of London) Engineer Regiment

29 April 2014

It is proposed that the City of London Corporation host a lunchtime reception and Beat Retreat at Guildhall following a service of commemoration at St Paul's Cathedral to mark the 75<sup>th</sup> Anniversary of the formation of the Army's bomb disposal teams, now 101 (City of London) Engineer Regiment, and provide the City with an opportunity to recognise their contribution both during the Second World War and since.

In May 1940 twenty-five Royal Engineers Bomb Disposal (REBD) Units were raised to deal with the threat of unexploded bombs in civilian areas. During the course of World War II and its aftermath, REBD disposed of over 45,000 ordnance bombs and nearly 70,000 butterfly bombs. 55 officers and 567 soldiers gave their lives, over 200 service personnel were injured, and 13 George Crosses and 115 George Medals were awarded.

Successor regiments of REBD, 33 Engineer Regiment and 101 (City of London) Engineer Regiment (Explosive Ordnance Disposal) have continued their extremely hazardous work both overseas and domestically. Units have deployed to Northern Ireland, the Balkans, Kosovo, Sierra Leone, Iraq and Afghanistan. The Regiment was deployed recently during the London Olympic Games.

It is anticipated that the guest list for the event would include a Member of the Royal Family, senior military personnel, serving and veteran Royal Engineers,



representatives from Livery Companies with connections to the Royal Engineers and representatives from the City's Privileged Regiments.

We **recommend** that hospitality be granted and that arrangements be left in the hands of the Hospitality Working Party; the cost to be met from City's Cash, within the approved cost parameters.

(This will be a Full Court event.)

**(C) State Visit - The President of the Republic of Singapore and Appointment of a Ward Reception Committee**

29 April 2014

In late October 2014 the President of the Republic of Singapore, His Excellency Dr Tony Tan Keng Yam, will pay a State Visit to the United Kingdom as a guest of Her Majesty The Queen.

We **recommend** that on the occasion of his State Visit to this country, an invitation be extended to His Excellency Dr Tony Tan Keng Yam to honour the City of London Corporation by accepting an Address of Welcome in a suitable box and that he be further asked to accept an invitation to attend a Banquet to be given in his honour in Guildhall on Wednesday, 22nd October 2014: it being referred to a Ward Reception Committee, the members of which will be set out in a separately printed and circulated report, to make the necessary arrangements within approved cost parameters, provision for which has been authorised by the Finance Committee from the relevant City's Cash budgets and that the Town Clerk be authorised to make changes to the membership of the Committee, in accordance with the rota, if necessary.

(This would be a full Court event).

**(D) Report of action taken under urgency procedures - Invictus Games**

9 May 2014

We report, for information, action taken as a matter of urgency, pursuant to Standing Order No.19, in approving arrangements for the City of London Corporation to host a dinner in the Old Library and Art Gallery on 3rd June 2014 for the Invictus Games.

The Games will be held from 10th to 14th September 2014 at the Olympic Park at Stratford. The Games will be for wounded service personnel from the UK and countries whose armed forces have fought with the UK in recent military engagements (principally Afghanistan).

The purpose of the dinner was to give the Games a higher public profile, attract potential supporters, thank those already providing assistance, and provide encouragement to members of the British team. During the dinner a panel session took place at which Paralympians gave an account of their experiences participating in competitive sporting events.

The arrangements for the dinner were made under the auspices of the Policy and Resources Committee with the cost being met from City's Cash, within the approved cost parameters.

(This was a Committee event.)

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

**120 Fenchurch Street – Compulsory Purchase Order**

On 29 April 2014, your Planning and Transportation Committee considered and approved a proposal to make a compulsory purchase order ("CPO") pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 (the "1990 Act"), in order to facilitate the carrying out of development/redevelopment or improvement of land at 10 Fenchurch Avenue, 14 Fenchurch Avenue, 116 Fenchurch Street and 14 Billiter Street, 117 Fenchurch Street, 118/119 Fenchurch Street and 6 Hogarth Court, 120 Fenchurch Street, 4-5 Hogarth Court, London, EC3M. We submit a separately printed and circulated report which seeks the approval of the Court of Common Council to the proposal and we **recommend** approval thereof.

16 **LICENSING COMMITTEE**  
**(Marianne Bernadette Fredericks)**

28 April 2014

**Introduction of the Late Night Levy in the City of London**

Your Licensing Committee has carefully considered whether a Late Night Levy (the levy) should be introduced in the City of London. In deciding whether the levy should be introduced we undertook a full public consultation, which included contacting the 747 licenced premises in the City of London. We examined the consultation documentation, in detail, and considered a total of 70 responses which were received. Out of the 747 licenced premises in the City the levy, if introduced, would impact upon 290 licenced premises which sell alcohol after midnight. Out of those 290 licenced premises a maximum of 37 responses to the consultation were received.

The levy is prescribed nationally by legislation and is based on the premises rateable value. The category for exemptions and reductions from the levy is prescribed under the Late Night Levy (Expenses, Exemptions and Reductions) Regulations 2012. Your Licensing Committee considered and decided that there was no category of licenced premises which should be exempt from the levy. We did however agree that a reduction of 30% of the levy fee would be granted to all licensed premises operating between 00:01hours and 06:00hours, where the premises had shown that they operated at the standard required to achieve the City of London Safety Thirst Award. This Scheme encourages partnership working with licenced premises to both reduce levels of crime and promote the licensing objectives overall.

We have carefully reviewed the criteria to adopt the levy, set out in the Police Reform and Social Responsibility Act 2011 and supporting regulations, along with the responses received from the consultation.

A printed and circulated report has therefore been submitted for your consideration and we commend its proposal to introduce a late night levy in the City of London.

**MOTION**

17 By the Chief Commoner

“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:-

A) information relating to Item 15 and the recommendations of the Planning and Transportation Committee on a Compulsory Purchase Order concerning properties in Fenchurch Street;

B) recommendations of the Finance Committee on a pay award at the Museum of London; and

C) action taken under urgency procedures approving recommendations of the Property Investment Board concerning two property transactions?”

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Item No:



# WOOLF, MAYOR

## COURT OF COMMON COUNCIL

1st May 2014

## MEMBERS PRESENT

## ALDERMEN

Nicholas Anstee  
Peter Estlin  
John Garbutt  
Sir Roger Gifford  
Alison Gowman  
Timothy Russell Hailes

Peter Hewitt, FCSI, FRSA  
Sir David Howard Bt MA DSc  
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  
William Anthony Bowater Russell  
Sir David Hugh Wootton)  
Alan Colin Drake Yarrow

## COMMONERS

George Christopher Abrahams  
John David Absalom, Deputy  
Randall Keith Anderson  
Kenneth Edwin Ayers MBE,  
Deputy  
Alex Bain-Stewart MSc JP  
John Alfred Barker, OBE Deputy  
Douglas Barrow, Deputy  
John Bennett Deputy (Chief  
Commoner)  
Nicholas Michael Bensted-Smith,  
JP  
Christopher Paul Boden  
Mark Boleat  
David John Bradshaw  
William Goodacre Campbell-  
Taylor  
Michael John Cassidy CBE  
Deputy  
Roger Arthur Holden Chadwick  
Nigel Kenneth Challis MA FCA  
FCSI (Hon)  
Henry Nicholas Almroth Colthurst  
Dennis Cotgrove BA  
Alexander John Cameron Deane,  
Deputy  
Karina Dostalova  
William Harry Dove MBE JP,  
Deputy  
Simon D'Olier Duckworth DL

The Revd Dr Martin Raymond  
Dudley  
Peter Gerard Dunphy  
Anthony Noel Eskenzi CBE DSc,  
Deputy  
Kevin Malcolm Everett DSc  
John William Fletcher BSc  
William Barrie Fraser OBE  
Deputy  
Stuart John Fraser CBE  
Marianne Bernadette Fredericks  
Lucy Frew  
George Marr Flemington Gillon  
Stanley Ginsburg JP Deputy  
The Revd Stephen Decatur  
Haines MA, Deputy  
Brian Nicholas Harris  
Christopher Michael Hayward  
Tom Hoffman  
Ann Holmes  
Robert Picton Seymour Howard,  
Deputy  
Michael Hudson  
Wendy Hyde  
Clare James MA  
Alastair John Naisbitt King MSc  
Deputy  
Stanley Keith Knowles MBE  
Deputy

Gregory Alfred Lawrence  
Vivienne Littlechild JP  
Charles Edward Lord OBE JP  
Professor John Stuart Penton  
Lumley  
Paul Nicholas Martinelli  
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, Deputy  
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  
Judith Lindsay Pleasance MA  
(Hons)  
James Henry George Pollard,  
Deputy

Emma Charlotte Louisa Price  
Henrika Johanna Sofia Priest  
Gerald Albert George Pulman JP,  
Deputy  
Stephen Douglas Quilter BSc  
(Hons)  
Richard David Regan, Deputy  
OBE  
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  
James Michael Douglas  
Thomson Deputy  
John Tomlinson, Deputy  
James Richard Tumbridge  
Michael Welbank, Deputy MBE  
Mark Raymond Peter Henry  
Delano Wheatley

Lance Corporal  
Oliver Thomas

The Lord Mayor referred to the recent death of Lance Corporal Oliver Matthew Thomas of the 3 Military Intelligence Battalion in Afghanistan and informed the Court that she intended to write to his Commanding Officer to convey the

condolences of the Members of this Honourable Court on behalf of the City to Lance Corporal Thomas's family and colleagues. The Court stood briefly as a mark of respect.

## New Members

The following Members, lately elected to be of the Common Council, for the Ward mentioned, were introduced to the Court and having, previously made the declaration prescribed by the Promissory Oaths Act, 1868, took their seats, viz:

| <b>Name</b>                        | <b>Ward</b> |
|------------------------------------|-------------|
| Reverend William Campbell – Taylor | Portsoken   |
| Nicholas Bensted Smith             | Cheap       |

Chief  
Commoner

Pursuant to the decision of the Court of 24 October 2013, the Lord Mayor invited Deputy John Bennett to take up the office of Chief Commoner for the ensuing year.

Resolved unanimously – That this Honourable Court wishes to extend to

George Marr Flemington Gillon

Its sincere gratitude for the manner in which he has undertaken the role of Chief Commoner over the past year.

George took up the post in April 2013 and has worked hard representing the Members' interests during the recent improvements to their facilities.

Throughout the past year he has carried out the many and varied, and sometimes difficult, tasks expected of the Chief Commoner with patience and sound judgement and we particularly acknowledge his spearheading of the commemoration of the start of World War 1 during a recent visit, organised by the Commonwealth War Graves Commission, to Ypres, Belgium.

In taking leave of the Chief Commoner and in thanking him formally and sincerely, his colleagues wish to express their appreciation not only for his resourcefulness and hospitality during the past year, but also for his patience, consideration and courtesy and they wish him continued good health and happiness long into the future.

George Gillon was heard in reply.

## Minutes

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

Welbank, M.,  
M.B.E., Deputy,  
Bennett, J.A.,  
Deputy

*Resolved* - That the Members of this Honourable Court wish to place on record their appreciation to Peter Wynn Rees for his 29 years' service as City Planning officer and for his contribution to the continuing success of the City of London.

## Overseas visits

The Right Honourable the Lord Mayor reported on her recent overseas visits to

Turkey, Italy, Cardiff and Bristol.

Policy  
Statement

The Chairman of the Policy and Resources Committee gave a detailed update on the developments since July last year on the debate on the UK's relationship with the European Union. He reassured Members that the statement contained nothing new in respect of the City Corporation's policy or approach. He concluded that the debate would continue for quite some time and explained that it was essential that the City Corporation continued to contribute and work with its business stakeholders to ensure that their views were being articulated and to work with HM Government to help inform an agenda for reform in Europe that would deliver jobs and growth across the continent.

In response to Members' questions the Chairman stated that:-

- the question of Scottish independence was a matter for the Scottish electorate;
- he would look into the City Corporation's association with the pressure group 'Migration Matters'; and
- there was no unanimous appetite in EU countries for the financial transaction tax and any such tax would have an effect on the UK whether or not Britain was in the EU.

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 the City by Redemption:-

|                                   |         |  |  |
|-----------------------------------|---------|--|--|
| Andrew<br>McCracken               | Michael | a Public Affairs Manager                         | In The City of London                      |
| Gregory David Levine              |         | a Commercial Director                            | Barnet                                     |
| Susan Jean McCulloch              |         | a Leisure Club Supervisor                        | Callington, Cornwall                       |
| David Richard Ellis, OBE          |         | a Senior Civil Servant, retired                  | Loudwater, Rickmansworth,<br>Hertfordshire |
| Andrew Mark Ellis                 |         | a Purchasing Manager                             | Milton Keynes,<br>Buckinghamshire          |
| Christopher Hans Charles<br>Blows |         | a Property Manager, retired                      | Ventnor, Isle of Wight                     |
| Ernest Thomas Willmott            |         | a Production Manager                             | Downend, Bristol                           |
| John Alexander Worth              |         | an Accountant                                    | Harpenden, Hertfordshire                   |
| Timothy James Cameron<br>Fraser   |         | a Music Publishing Company<br>Director           | Barnes, Richmond Upon<br>Thames            |
| John Edward Chilton               |         | an Office Interiors Company<br>Director, retired | Shirley, Croydon                           |
| Ian Stanley Currans               |         | a Taxi Crash Repair Company<br>Director          | Chislehurst, Bromley                       |
| Peter Edward Hill                 |         | a Civil Servant                                  | Honiton, Devon                             |
| Anabell Louise Hassan             |         | a Police Community Support<br>Officer            | Chingford, Waltham Forest                  |
| Mehmet Hassan                     |         | an Interim Operations Manager                    | Chingford, Waltham Forest                  |
| Neil Brian Baxter                 |         | an Architectural Ironmongers<br>Company Director | Waltham Forest                             |

|                                |  |   |
|--------------------------------|--|---|
| Alastair Richardson            | a Database Administrator, retired                | Redhill, Surrey                           |
| Luke Thomas Chilton Hall       | an Insurance Broker                              | Shortlands, Bromley                       |
| Malcolm Charles Hall           | a Marketing Manager                              | Orpington, Bromley                        |
| Charles Ronald Marriott        | a Film and Television Director                   | Croydon                                   |
| Sharon Heather Thornton        | a Student Welfare Officer                        | Winchester, Hampshire                     |
| Peter Rendal Wallace           | a Legal and Estate Planning Practitioner         | Fairlight, Sussex                         |
| Lord Mervin Edward John Gould  | a Complementary Practitioner, retired            | Bexhill-on-Sea, Sussex                    |
| Douglas Wood                   | a Steel Fabrication Company Director, retired    | Goole, East Yorkshire                     |
| Basia Kapp                     | an Educator                                      | Notting Hill Gate, Kensington and Chelsea |
| James Atherton                 | a Builder  | Camden                                    |
| Martin Peter Riley             | a Musician                                       | Bath                                      |
| Steven Dwulit                  | a Restorer and French Polisher                   | Highgate, Haringey                        |
| Charles David Oliver           | a Student  | Chelmsford, Essex                         |
| Victor George Griffiths        | a Design Engineer                                | Ashford, Surrey                           |
| Charles Goodson-Wickes, DL     | a Physician                                      | Westminster                               |
| Shevaun Haviland               | a Charitable Foundation Director                 | Chiswick, Hounslow                        |
| Michael John Probert Jones     | a Bank Director                                  | Warmington, Warwickshire                  |
| Linda Ann Demming              | a Financial Adviser                              | Westminster                               |
| Robert Oliver Demming          | a Financial Adviser                              | Westminster                               |
| Michal Jan Buras               | an Information Technology Company Director       | Luton, Bedfordshire                       |
| Iben Muriel                    | an Executive Assistant To A Livery Company Clerk | Twickenham, Richmond Upon Thames          |
| Frederick Paul Lewis           | a Property Development Company Director          | Bourn, Cambridgeshire                     |
| Gary Egerton                   | a Police Officer, retired                        | Brightlingsea, Essex                      |
| Doreen Susan Egerton           | a Personalised Tour Company Director             | Brightlingsea, Essex                      |
| Ernest Michael Cable           | an International Communications Manager, retired | Gosfield, Halstead, Essex                 |
| Hilary Jane Daniels            | an Accountant                                    | Nassington, Peterborough                  |
| Geoffrey John Bennett          | a University Teacher                             | Northchurch, Berkhamsted, Hertfordshire   |
| Marcus Noel Hal Denton         | a Business Advisory Services Managing Director   | Beckenham, Bromley                        |
| Philip John Sayer              | a Healthcare Provider Vice Chairman              | Maidstone, Kent                           |
| Calogera Nucera                | an Art and Antiques Dealer                       | Shortlands, Bromley                       |
| Leslie Stephen Walker          | a Senior Street Environment Officer              | Hornchurch, Havering                      |
| Jeremy Steven Newman           | a Chartered Accountant                           | Barnet                                    |
| Simon Phillip Bannister        | a Masonic Tyler                                  | Sutton                                    |
| Pamela Janet Parker            | a Hairdresser, retired                           | Blackheath, Greenwich                     |
| Amit Valla                     | a Member of Lloyds                               | Islington                                 |
| Eric Coulter Thelwell          | an Investment Holding Company Director           | Salisbury, Wiltshire                      |
| Gregory Dunham                 | a Police Officer, retired                        | Sidcup, Bexley                            |
| Kenneth Christopher Skilton    | a Railway Company Driver Manager                 | Littlehampton, West Sussex                |
| Michael John Murphy            | a Purchasing and Supply Manager, retired         | Hornchurch, Havering                      |
| Howard Ian Sabin               | a Consultant Surgeon                             | Islington                                 |
| Benjamin Jordan Paisley Gillam | a Design and Construction Company Director       | New Cross, Lewisham                       |



|                                       |  |                                       |
|---------------------------------------|--|---------------------------------------|
| Giovanni Lombardo                     | a Solicitor                                    | Thames Ditton, Surrey                 |
| Robert Leslie Johnson                 | a Human Resources and Training Consultant      | Marlow, Buckinghamshire               |
| Eamon Byrne                           | a Street Cleansing and Refuse Area Manager     | Newham                                |
| Timothy Benjamin Screech              | a University Professor                         | Southwark                             |
| Laura Suzanne Marshall                | a Legal Advisor                                | Flitwick, Bedfordshire                |
| Helen Louise Grainger                 | a Marketing and Events Training Manager        | Barnes, Richmond Upon Thames          |
| Sadie Frances Van-Boolen              | a Book Keeper, retired                         | Woodford Green, Redbridge             |
| George Robert Clarke                  | a Solicitor                                    | Wandsworth                            |
| Martin David Paisner, CBE             | a Solicitor                                    | Hampstead, Camden                     |
| Anthony Martin Bailey                 | an Estate Manager                              | Cranbrook, Kent                       |
| Hussain Sadiq                         | a Student                                      | Brent                                 |
| Janet Elaine Bridget Horton           | a Business Services Company Director           | Shirenewton, Chepstow, Monmouthshire  |
| Dennis Graham Capeling                | a Production Manager, retired                  | Ditton, Aylesford, Kent               |
| Nigel John Solsby                     | an Accommodation Services Company Director     | Hempstead Valley, Gillingham, Kent    |
| Nicola Louise Hamilton                | a Medical Practitioner                         | Ashtead, Surrey                       |
| Mark Andrew Hamilton                  | a Hospital Consultant                          | Ashtead, Surrey                       |
| Arthur Kevin Christford Hilton Hyland | a Landscape Gardener                           | Swanscombe, Kent                      |
| Allen Harold Masters                  | a Ceramic Tyler, retired                       | Gillingham, Kent                      |
| Anna-Margaret Sarah Paterson          | a Care Manager                                 | Waterlooville, Hampshire              |
| Andrew Maclaren Martin, RD            | a Lloyd's Broker                               | Hildenborough, Kent                   |
| Robert Ian Neilson Gordon             | a Solicitor, retired                           | Waltham Cross, Hertfordshire          |
| Denise Ann Lamden                     | a Secretary, retired                           | Caversham Heights, Reading, Berkshire |
| Donald James Rogers                   | an Oil and Gas Planning Company Director       | Stanford Le Hope, Essex               |
| Miroslava Konstantinova Chtereva      | a Coffee Roasting Company Director             | North Finchley, Barnet                |
| John Patrick Griffin                  | a Taxi Company Chairman                        | Regents Park, Westminster             |
| Michael Joseph Mello                  | a Systems Administrator                        | Guildford, Surrey                     |
| Brian Harvey Howlett                  | a Local Government Officer, retired            | Milton, Portsmouth, Hampshire         |
| David George Hadden                   | a Chartered Surveyor                           | Plumpton Green, Sussex                |
| Wendy Josephine Clay                  | an International Figure Skating Judge, retired | Havant, Hampshire                     |
| Susan Jill Morgan                     | a Married Woman                                | Barnes, Richmond Upon Thames          |
| Richard Gordon-Freeman                | a Writer                                       | Twickenham, Richmond Upon Thames      |
| David Roy Taylor                      | a Commercial Director                          | Uxbridge, Hillingdon                  |
| Neal Alan Wilkinson                   | a Chief Financial Officer                      | Watford, Hertfordshire                |
| Kevin Martin Neale                    | a Head of Operations                           | Rainham, Kent                         |
| Paul Simon Neale                      | a Bank Manager                                 | Eynsford, Kent                        |
| Giles Richard Cooper                  | an Entertainment Producer                      | Iden Green, Beneden, Kent             |
| Simon Alan Smith                      | a Financial Services Director                  | Bromley                               |
| Anthony John Newland                  | a Marketing Manager                            | Poplar, Tower Hamlets                 |
| Joseph Edward Burnett                 | a Hospitality Manager                          | Tottenham, Haringey                   |
| Hugh Paul Nolan                       | a European Service Manager                     | Ingatstone, Essex                     |
| Roger Millward                        | a Smithfield Meat Market Clerk,                | South Croydon, Croydon                |

|                                    |  |   |
|------------------------------------|--|---|
|                                    | retired  |   |
| Christopher Palmer                 | a Regular Army Officer                         | Camden                                      |
| Roy May                            | a Sailing and Navigation School Director       | Medmenham, Buckinghamshire                  |
| Rory James Maclaren-Jackson        | a Business and Personal Development Specialist | Sutton                                      |
| Michael Robin Wilkinson            | a Finance Director                             | Chelsea, Kensington and Chelsea             |
| Jeanne Vivien Harrison             | a Psychotherapist, retired                     | Amersham, Buckinghamshire                   |
| Robert John Vezey                  | a Chartered Surveyor                           | Wandsworth                                  |
| Raffety                            |  |   |
| Louisa Margaret Legg               | a Marketing Manager                            | Reigate, Surrey                             |
| Stephen Cardell                    | an Information Services Business President     | Watford, Hertfordshire                      |
| Alexander John Dougal Chatterton   | a Trainee Chartered Accountant                 | Epsom, Surrey                               |
| Sean Patrick McClafferty           | an Antiques Dealer                             | Newtown Cunningham, County Donegal, Ireland |
| Shuzo Sumi                         | a Chairman of the Board                        | Tokyo, Japan                                |
| Kenneth John Ludlam                | a Chartered Accountant                         | Bromley                                     |
| Barbara Carol Thomas               | a Special Needs Teacher, retired               | Gravesend, Kent                             |
| Janice Maureen Frances Wear        | a Gardener                                     | Ashford, Kent                               |
| James Frederick Jeram              | an Electrical Engineer, retired                | Bexleyheath, Bexley                         |
| Oliver James Edward Williamson     | a Financial Services Head of Sales             | Beckenham, Bromley                          |
| David James Mace                   | a Chartered Accountant                         | Langdon Hills, Essex                        |
| Steven Robert Wells                | a Financial Services Company Chief Executive   | Holywood, County Down                       |
| Joyce Elizabeth Wells              | a Sales Team Leader                            | Holywood, County Down                       |
| Graham Alexander Ashton            | a Local Government Officer                     | Mill Hill, Barnet                           |
| Anthony Brett Bainbridge           | an Electronics Engineer, retired               | Orpington, Bromley                          |
| Louis Jacobs                       | a London Taxi Driver, retired                  | Ilford, Redbridge                           |
| Philip David Kino                  | a Civil Servant                                | Bedford, Bedfordshire                       |
| Gerald Christopher McEntee         | a Tactical Deployment Officer, retired         | Sidcup, Bexley                              |
| Richard Antony Grenville Frase     | a Solicitor                                    | Milford, Surrey                             |
| Eleanor Fulton Laing, MP           | a Member of Parliament                         | Westminster                                 |
| John Michael May, OBE              | a Regular Army Officer, retired                | York, North Yorkshire                       |
| Stephen Carville                   | a College Principal                            | Chichester, Sussex                          |
| Christopher David Woolf            | a Teacher                                      | Pinner, Harrow                              |
| Frank Edward Peacock               | a Professional Engineer                        | Oakwood, Enfield                            |
| Emmeline Louise Gorski             | a Portfolio Management Office Manager          | Enfield                                     |
| Cheryl Jane Stringer               | an Accountant                                  | Goffs Oak, Hertfordshire                    |
| Thomas Howard Stringer             | a Finance Director                             | Goffs Oak, Hertfordshire                    |
| Inderpal Singh                     | an Investment Manager                          | In The City of London                       |
| Robert Fisher                      | an Engineering Consultancy Director            | East Malling, Kent                          |
| Helen Elizabeth Giblin             | a Learning and Development Adviser             | Putney, Wandsworth                          |
| Jacob Alexander Paul               | a Management Consultant                        | Tuffley, Gloucestershire                    |
| The Hon John Russell Baird, PC, MP | The Minister of Foreign Affairs of Canada      | Nepean, Ontario, Canada                     |
| Gary George Jeffreys               | an Information Technology Company Director     | Sidcup, Bexley                              |
| Robert John Kent                   | a Police Officer, retired                      | Ipswich, Suffolk                            |
| Robert James                       | a Member of Parliament                         | Chislehurst, Bromley                        |

|                           |  |                                      |
|---------------------------|--|--------------------------------------|
| Macgillivray Neill, MP    |  |                                      |
| Baroness Valerie Ann Amos | a United Nations Under Secretary General   | St Paul's Avenue, Brent              |
| Robert Arthur Whiteman    | a Professional Body Chief Executive        | Forest Gate, Newham                  |
| Ion Jinga                 | an Ambassador                              | Kensington, Kensington and Chelsea   |
| Janet Elizabeth Frost     | an Architectural Designer                  | Wingrave, Buckinghamshire            |
| Hilary Jean Aldridge      | a Printing and Stationery Company Director | Wingrave, Aylesbury, Buckinghamshire |
| Abigail Louise Woolf      | an Engineer                                | Barnes, Richmond Upon Thames         |
| Derek Wyn Edwards         | a Building Manager                         | St Johns Wood, Westminster           |
| Matthew Bernard Durcan    | a Management Consultant                    | Wigmore, Kent                        |
| David Henry Miller        | a Heating Engineer                         | Rainham, Kent                        |
| Linda Susan Nikolaou      | a Teacher                                  | Godalming, Surrey                    |
| Kristian Graham House     | a Professional Cyclist                     | Middlewich, Cheshire                 |
| Sarah Lucy Richardson     | The Lord Mayor of Westminster              | Kennington, Lambeth                  |

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 do their Freedom accordingly.

#### **Action Taken under urgency procedures - Freedom**

To report action taken in approving an application for the Freedom of the City of London under urgency procedures on behalf of the Court of Common Council as there was insufficient time for the Court approval to be obtained in the usual way: To His Excellency Lee Hsien Loong, Prime Minister of the Republic of Singapore; being nominated by the Lord Mayor and by Alderman Nicholas Anstee, Citizen and Butcher.

*Received.*

Parliament

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

#### **Subordinate Legislation**

| <b>Measure</b>   | <b>Date in force</b> |
|--|----------------------|
| The Non-Domestic Rating (Small Business Rate Relief) (England) (Amendment) Order 2014, S.I. No. 43.            | 14th February 2014   |
| The Non-Domestic Rating (Rates Retention) (Amendment) Regulations 2014, S.I. No. 96.                           | 30th January 2014    |
| The Neighbourhood Planning (Referendums) (Amendment) Regulations 2014, S.I. No. 333.                           | 6th April 2014       |
| The Community Infrastructure Levy (Amendment) Regulations 2014, S.I. No. 385.                                  | 23rd February 2014   |
| The Council Tax and Non-Domestic Rating (Demand Notices) (England) (Amendment) Regulations 2014, S.I. No. 404. | 1st April, 2014      |
| The Non-Domestic Rating (Collection and Enforcement)   | 1st April 2014       |

|   |                       |
|---|-----------------------|
| (Amendment) (England) Regulations 2014, S.I. No. 479.<br>The Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014, S.I. No. 525. | 1st April 2014        |
| The Planning (Listed Buildings and Conservation Areas) (Heritage Partnership Agreements) Regulations 2014, S.I. No. 550.  | 6th April 2014        |
| The Planning (Local Listed Building Consent Orders) (Procedure) Regulations 2014, S.I. No. 551.   | 6th April 2014        |
| The Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014, S.I. No. 552.  | 6th April 2014        |
| The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014, S.I. No. 564.                                    | 6th April 2014        |
| The Town and Country Planning (Compensation) (England) (Amendment) Regulations 2014, S.I. No. 565.  | 6th April 2014        |
| The Co-ordination of Regulatory Enforcement (Enforcement Action) (Amendment) Order 2014, S.I. No. 573.  | 6th April 2014        |
| The Building Regulations &c. (Amendment) Regulations 2014, S.I. No. 579.  | 6th April 2014        |
| The School Staffing (England) (Amendment) Regulations 2014, S.I. No. 798.   | 1st September<br>2014 |
| The Non-Domestic Rating (Levy and Safety Net) (Amendment) Regulations 2014, S.I. No. 822.   | 27th March 2014       |
| The Contracting Out (Local Authorities Social Services Functions) (England) Order 2014, S.I. No. 829.   | 1st April 2014        |
| The Prevention of Social Housing Fraud (Power to Require Information) (England) Regulations 2014, S.I. No. 899.   | 3rd April 2014        |

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

*Read.*

*Received.*

Results of  
Ballots

The Town Clerk reported the results of the ballot taken at the last Court for the appointment of The City Bridge Trust Committee.

★ denotes appointed

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

|                               | <b>Votes</b> |
|-------------------------------|--------------|
| The Revd. Dr. Martin Dudley   | 36           |
| Stanley Ginsburg J.P., Deputy | 60★          |

*Read.*

Whereupon the Lord Mayor declared Deputy Stanley Ginsburg to be appointed onto The City Bridge Trust Committee for term to expire in April 2016.

(b) to appoint four Common Councilmen on The Honourable The Irish Society for terms of three years to expire in 2017.

|                                    | <b>Votes</b>                   |
|------------------------------------|--------------------------------|
| John David Absalom, Deputy         | 32 (withdrawn from nomination) |
| Peter Gerard Dunphy                | 44★                            |
| Christopher Michael Hayward        | 23                             |
| Wendy Hyde                         | 36★                            |
| Gregory Percy Jones, Q.C.          | 14                             |
| Vivienne Littlechild, J.P.         | 21                             |
| Oliver Arthur Wynlayne Lodge, T.D. | 30                             |
| Hugh Fenton Morris                 | 32 (subject to re-ballot)      |
| Elizabeth Rogula                   | 51★                            |
| Jeremy Lewis Simons, M.Sc.         | 24                             |
| Patrick Thomas Streeter            | 6                              |

*Read.*

Whereupon the Lord Mayor declared Peter Dunphy, Wendy Hyde, High Morris and Elizabeth Rogula to be appointed onto The Honourable The Irish Society.

(c) One Member on the Gresham Committee (City Side) for the balance of a term to expire in April 2016.

|                                  | <b>Votes</b>              |
|----------------------------------|---------------------------|
| Kenneth Edwin Ayers, MBE, Deputy | 17                        |
| George Marr Flemington Gillon    | 24 (subject to re-ballot) |
| Michael Hudson                   | 6                         |
| Wendy Hyde                       | 11                        |
| Charles Edward Lord, OBE, J.P.   | 10                        |
| John George Stewart Scott, J.P.  | 10                        |
| Patrick Thomas Streeter          | 1                         |
| Michael Welbank, Deputy          | 19 (subject to re-ballot) |

*N.B. It will be necessary to hold a second ballot between George Gillon and Deputy Michael Welbank as no candidate achieved 40% of the votes cast as required by Standing Order No. 10(4)(b).*

*Read.*

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

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

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

(d) Two Members on the Audit and Risk Management Committee, one for the balance of a term to expire in April 2016 and one for the balance of a term to expire in April 2015.

|                                  | <b>Votes</b> |
|----------------------------------|--------------|
| Charles Bowman, Alderman         | 62★          |
| Timothy Russell Hailes, Alderman | 68★          |
| Graeme Martyn Smith              | 34           |

*Read.*

Whereupon the Lord Mayor declared Alderman Charles Bowman to be appointed onto the Audit and Risk Management Committee for the balance of a term to expire in April 2015 and Alderman Timothy Hailes to be appointed onto the Committee for the balance of a term to expire in April 2016.

(e) Two Members on the City and Metropolitan Welfare Charity for four year terms to expire in March 2018.

|  | <b>Votes</b> |
|--|--------------|
| Henry Nicholas Almroth Colthurst       | 51★          |
| *William Harry Dove, MBE, J.P., Deputy | 79★          |
| Charles Edward Lord, OBE, J.P.         | 40           |
| Patrick Thomas Streeter                | WITHDRAWN    |

*Read.*

Whereupon the Lord Mayor declared Henry Colthurst and Deputy Billy Dove to be appointed onto the City and Metropolitan Welfare Charity for terms of four years to expire in March 2018.

(f) One Member on the Board of Governors of the Museum of London for the balance of a term to expire in November 2016.

|                                | <b>Votes</b> |
|--------------------------------|--------------|
| Alison Gowman, Alderman        | 47★          |
| Jeremy Paul Mayhew, M.A, M.B.A | 24           |
| Graeme Martyn Smith            | 24           |

*N.B. No candidate achieved the majority of the votes cast as required by Standing Order No. 10(4)(a) so a re-ballot was declared to be necessary. Both Jeremy Mayhew and Graeme Smith subsequently withdrew from a re-ballot so Alderman Gowman has been marked as appointed.*

*Read.*

Whereupon the Lord Mayor declared Alderman Alison Gowman to be appointed onto the Board of Governors of the Museum of London for a term to expire in November 2016.

This day the Court proceeded to the annual appointment of Committees.

*Resolved* – That the several Committees be appointed until the first meeting of the Court in April 2015, and that the terms of reference and constitutions be also approved.

### Notes

1. The format of this paper shows the constitution of each Committee, followed by the proposed membership and, lastly, its terms of reference.

2. Against the names of Common Councilmen are one or more numbers. A number shown without brackets reflects the total number of years that a Member has served on the Committee since first elected to the Court, including 2014/15. Numbers in brackets apply only to Committees for which the Court makes an appointment for a four year period, and indicate which year of the period that Member is entering in 2014. (In the case of the Board of Governors of the Guildhall School of Music & Drama and the Barbican Centre Board, appointments are for a three year period).

### Nominations

3. Nominations for appointments on Ward Committees have been submitted in accordance with Standing Order No. 23(5).

4. Where a Ward chooses not to make a nomination to a Ward Committee or pair with another Ward, the vacancy shall be advertised to all Members and, on the basis of the nominations received, the appointment made by the Court.

5. Where a vacancy exists on a Ward Committee, an interim ward pairing option may be exercised (in accordance with the agreed ward pairing arrangements) until the replacement ward representative is agreed subsequent to the election of a new Common Councilman for the Ward.

### Compliance with Standing Orders

6. Each Committee or Board, in carrying out the functions and responsibilities delegated to it by the Court of Common Council, shall do so in compliance with the City Corporation's Standing Orders, Financial Regulations and such other requirements as the City Corporation may determine. This includes Committees or Boards with different constitutional arrangements and/or extended delegations, such as the Board of Governors of the Guildhall School of Music & Drama (which operates under a separate Instrument and Articles of Government in accordance with section 29 of the Further and Higher Education Act 1992) and the Police Committee (which has vested in it the powers and duties of the Court of Common Council as Police Authority for the City of London by virtue of the City of London Police Act 1839, together with other relevant legislation, save the appointment of the Commissioner of Police).

### Terms of Reference and Delegation

7. The Court of Common Council may discharge its functions and responsibilities through delegation to the several committees and through delegation to officers, in accordance with the Framework for Accountability and Delegation (agreed by the

Court in January 2005).

8. Committees have delegated authority to discharge their functions as set out in their terms of reference and in accordance with Standing Orders.

9. Lands and/or property in the purview of committees shall be managed and maintained by the relevant committee.

10. Committees may also choose to delegate the exercise of their functions to sub-committees and to officers.

#### Matters of Policy and/or Strategic Importance

11. The creation of a new, or the amendment of an existing, corporate or strategic policy, or other matters of corporate or strategic importance, should be referred by committees to the Policy & Resources Committee for consideration prior to the matter being referred, as necessary, to the Court of Common Council.

#### Chief Commoner – Attendance at Committee Meetings

12. The Chief Commoner shall have the ability to attend any City Corporation Committee meeting and to speak at such meetings.

#### Matters of Dispute

13. The Policy & Resources Committee shall attempt to resolve matters of dispute between individual committees, reporting as necessary to the Court of Common Council.

#### General

14. For ease of reference, the Committees have been grouped by function.

### **POLICY & RESOURCES COMMITTEE**

#### 1. Constitution

A Non-Ward Committee consisting of,

- four Aldermen nominated by the Court of Aldermen
- 20 Members elected by the Court of Common Council, at least four of whom shall have fewer than 10 years' service on the Court, and two of whom shall be residents (NB. these categories are not exclusive ie. one Member can fulfil both criteria)
- the following ex-officio Members:-
  - The Right Honourable the Lord Mayor for the time being
  - The Chief Commoner (who will chair any Sub-Committees regarding Hospitality and Privileges)
  - such Members of the Court of Common Council as have seats in Parliament
  - the Chairmen of the following Committees:-
    - Finance
    - Planning & Transportation
    - Port Health & Environmental Services
    - Police
    - Community & Children's Services
    - Establishment
    - Barbican Centre
    - Investment
    - Culture, Heritage and Libraries
  - The Deputy Chairmen of the Finance and Investment Committees

#### 2. Quorum

The quorum consists of any nine Members.

#### 3. Membership 2014/15



## ALDERMEN

- 11 Sir David Howard, Bt., M.A., D.Sc.
- 2 Sir David Wootton
- 2 Alan Colin Drake Yarrow
- 1 Jeffrey Richard Evans

## COMMONERS

- 4 (4) Douglas Barrow, Deputy
- 8 (4) Mark John Boleat
- 13 (4) George Marr Flemington Gillon
- 6 (2) Charles Edward Lord, O.B.E., J.P., *for two years*
- 8 (4) Stephen Douglas Quilter, B.Sc.(Hons.)
- 14 (2) Kenneth Edwin Ayers, M.B.E., Deputy, *for three years*
- 6 (3) Simon D'Olier Duckworth D.L.
- 3 (3) Marianne Bernadette Fredericks
- 10 (3) Catherine McGuinness M.A., Deputy
- 3 (3) Dr Giles Robert Evelyn Shilson, Deputy
- 2 (2) Alexander John Cameron Deane, Deputy
- 16 (2) Stuart John Fraser, C.B.E.
- 28 (2) Joyce Carruthers Nash, O.B.E., Deputy
- 20 (2) Sir Michael Snyder, Deputy
- 2 (2) John Tomlinson, B.A., M.Sc. Deputy

together with the ex-officio Members referred to in paragraph 1 above and five Members to be appointed this day.

4. **Terms of Reference**

To be responsible for:-

**General**

- (a) considering matters of policy and strategic importance to the City of London Corporation including matters referred to it by other Committees and/or Chief Officers;
- (b) the review and co-ordination of the governance of the City of London Corporation including its Committees, Standing Orders and Outside Bodies Scheme, reporting as necessary to the Court of Common Council, together with the City Corporation's overall organisation and administration;
- (c) overseeing, generally, the security of the City and the City of London Corporation's security and emergency planning;
- (d) the support and promotion of the City of London as the world leader in international financial and business services and to oversee, generally, the City of London Corporation's economic development activities, communications strategy and public relations activities;
- (e) the use of the City's Armorial bearings and the Bridge Mark;
- (f) the appointment of the City Surveyor (in consultation with the Investment Committee);
- (g) general matters not otherwise expressly provided for within the terms of reference of any other Committee;
- (h) approving the City Corporation's annual contribution to the London Councils' Grants Scheme and agreeing, alongside other constituent councils, the proposed overall budget;
- (i) making recommendations to the Court of Common Council in respect of:
  - (i) the appointment of the Town Clerk & Chief Executive, Comptroller & City Solicitor and Remembrancer;
  - (ii) the Corporate Plan, Community Strategy, and other corporate strategies, statements or resolutions;

(iii) the issuing of levies to all the constituent councils for their contributions to the London Councils' Grants Scheme, for which the Court of Common Council is a levying body; and

(iv) the promotion of legislation and, where appropriate, byelaws;

**Resource Allocation**

(j) determining resource allocation in accordance with the City of London Corporation's strategic policies;

**Corporate Assets**

- (k) a) determining the overall use of the Guildhall Complex; and  
b) approving overall strategy and policy in respect of City Corporation's assets;

**Projects**

(l) Scrutiny and oversight of the management of major projects and programmes of work, 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;

**Hospitality**

(m) arrangements for the provision of hospitality on behalf of the City of London Corporation;

**Privileges**

(n) Members' privileges, facilities and development;

**Sustainability**

(o) strategies and initiatives in relation to sustainability;

**Sub-Committees**

(p) appointing such Sub-Committees as are considered necessary for the better performance of its duties including the following areas:-

- \* Resource Allocation
- Projects
- Public Relations and Economic Development
- †Hospitality
- †Members' Privileges

\* The constitution of the Resource Allocation Sub Committee is set by the Court of Common Council and comprises the Chairman and Deputy Chairmen of the Grand Committee, past Chairmen of the Grand Committee providing that they are Members of the Committee at that time, the Chairman of the General Purposes Committee of Aldermen, the Chairman and Deputy Chairman of the Finance Committee, the Chairman of the Establishment Committee, the Senior Alderman below the Chair and six Members appointed by the Grand Committee.

† the Working Parties or Sub Committees responsible for hospitality and Members' privileges shall be able to report directly to the Court of Common Council and the Chief Commoner able to address reports and respond to matters in the Court associated with these activities.

**FINANCE COMMITTEE**

1. **Constitution**  
A Ward Committee consisting of,
  - four Aldermen nominated by the Court of Aldermen
  - up to 31 Commoners representing each Ward (two representatives for the Wards with six or more Members regardless of whether the Ward has sides) or Side of Ward
  - the Chairman and Deputy Chairman of the Policy & Resources Committee (ex-officio)
  - the Chairman and Deputy Chairman of the Investment Committee (ex-officio)
2. **Quorum**  
The quorum consists of any nine Members.
3. **Membership 2014/15**

## ALDERMEN

- 2 John Garbutt
- 1 Peter Hewitt
- 1 Charles Edward Beck Bowman
- 1 Vincent Keaveny

## COMMONERS

|    |   |                              |
|----|---|------------------------------|
| 15 | Jeremy Paul Mayhew, M.A., M.B.A. ....             | Aldersgate                   |
| 2  | Randall Keith Anderson .....                      | Aldersgate                   |
| 6  | David James Thompson .....                        | Aldgate                      |
| 2  | Robert Allan Merrett.....                         | Bassishaw                    |
| 2  | Jamie Ingham Clark.....                           | Billingsgate                 |
| 12 | Simon D'Olier Duckworth, D.L. ....                | Bishopsgate                  |
| 4  | Wendy Marilyn Hyde.....                           | Bishopsgate                  |
| 2  | Oliver Arthur Wynlayne Lodge, T.D, B.Sc. ....     | Bread Street                 |
| 11 | Brian Nicholas Harris .....                       | Bridge and Bridge<br>Without |
| 10 | John George Stewart Scott, J.P.....               | Broad Street                 |
| 2  | Christopher Paul Boden.....                       | Castle Baynard               |
| 4  | Nigel Kenneth Challis .....                       | Castle Baynard               |
| 1  | Nicholas Bensted-Smith.....                       | Cheap                        |
| 2  | Stuart John Fraser, C.B.E.....                    | Coleman Street               |
| 24 | Sir Michael Snyder, Deputy .....                  | Cordwainer                   |
| 4  | Ian Christopher Norman Seaton, .....              | Cornhill                     |
| 5  | John Alfred Barker, O.B.E., Deputy.....           | Cripplegate Within           |
| 11 | John Tomlinson, B.A., M.Sc., Deputy .....         | Cripplegate Without          |
| 10 | James Henry George Pollard, Deputy.....           | Dowgate                      |
| 2  | Clare James, M.A. ....                            | Farringdon Within            |
| 14 | Anthony Noel Eskenzi, C.B.E., D.Sc., Deputy ..... | Farringdon Within            |
| 9  | George Christopher Abrahams .....                 | Farringdon Without           |
| 2  | Gregory Alfred Lawrence .....                     | Farringdon Without           |
| 2  | Philip John Woodhouse .....                       | Langbourn                    |
| 2  | Robert Picton Seymour Howard, Deputy.....         | Lime Street                  |
| 2  | John Fletcher.....                                | Portsoken                    |
| 14 | Alastair John Naisbitt King, M.Sc, Deputy .....   | Queenhithe                   |
| 12 | Roger Arthur Holden Chadwick.....                 | Tower                        |
| 8  | Tom Hoffman.....                                  | Vintry                       |
| 2  | Lucy Roseanne Frew.....                           | Walbrook                     |

Together with the ex-officio Members referred to in paragraph 1 and together with one Member to be appointed this day in place of the Ward of Candlewick which is not making an appointment on this occasion.

4. **Terms of Reference**

To be responsible for:-

**Finance**

- (a) Ensuring effective arrangements are made for the proper administration of the City Corporation's financial affairs;
- (b) considering the annual budget of the several committees, to ascertain that they are within the resources allocated, are applied to the policies for which those resources were allocated and represent value for money in the achievement of those policies;
- (c) determining annually with the Resource Allocation Sub-Committee, the appropriate performance return bench marks for the City's and Bridge House Estates;
- (d) obtaining value for money in all aspects of the City of London Corporation's activities;

- (e) monitoring performance against individual Departmental Business Plans and bringing about improvements in performance;
- (f) the effective and sustainable management of the City of London's operational assets, to help deliver strategic priorities and service needs;
- (g) overseeing the City of London Corporation's approved list of contractors and consultants;
- (h) dealing with requests for grants for charitable purposes from funds under the Committee's control, including the City of London Corporation Combined Relief of Poverty Charity (registered charity no. 1073660) and the City Educational Trust (registered charity no. 290840), allowances, expenses, insurance, business travel, treasure trove and Trophy Tax;
- (i) making recommendations to the Court of Common Council in respect of:-
  - (i) the audited accounts, the Annual Budget and to recommend the non-domestic rate and Council Tax to be levied and to present the capital programme and make recommendations as to its financing;
  - (ii) the appointment of the Chamberlain;
- (j) strategies and initiatives in relation to energy;
- Information Systems**
- (k) developing and implementing IS strategies to support the business needs of the City of London Corporation; and
- Sub-Committees**
- (l) appointing such Sub-Committees as are considered necessary for the better performance of its duties including the following areas:-
  - Efficiency & Performance
  - Finance Grants
  - Information Systems
  - Corporate Assets

### INVESTMENT COMMITTEE

1. **Constitution**  
A Non-Ward Committee consisting of,
  - 14 Members elected by the Court of Common Council, at least one of whom shall have fewer than five years' service on the Court at the time of their appointment
  - eight Members nominated by the Policy & Resources Committee
  - the Chairman and a Deputy Chairman of the Policy & Resources Committee (ex-officio)
  - the Chairman and Deputy Chairman of the Finance Committee (ex-officio)
2. **Quorum**  
The quorum consists of any seven Members.
3. **Membership 2014/15**
  - 4 (4) Kenneth Edwin Ayers, M.B.E., Deputy
  - 2 (2) Henry Nicholas Almroth Colthurst, *for two years*
  - 4 (4) George Marr Flemington Gillon
  - 2 (2) Andrew Stratton McMurtrie, *for two years*
  - 3 (3) Tom Hoffman
  - 2 (2) Michael Hudson, *for three years*
  - 3 (3) Clare James, M.A.
  - 4 (2) Simon D'Olier Duckworth, D.L.
  - 4 (2) Brian Nicholas Harris
  - 2 (2) Robert Picton Seymour Howard, Deputy
  - 4 (2) James Henry George Pollard, Deputy

together with the Members referred to in paragraph 1 and three Members to be appointed this day.
4. **Terms of Reference**
  - (a) To be responsible for the strategic oversight and monitoring of the performance of all of the City of London Corporation's investments, in accordance with the investment strategy determined by the Policy & Resources Committee.
  - (b) To fulfil (a) above by means of the appointment of a Property Investment Board, a Financial Investment Board and a Social Investment Board responsible for property, financial investments and social investments, respectively.

- (c) To provide the Resource Allocation Sub Committee with 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.

Note: The Property Investment Board, Financial Investment Board and Social Investment Board shall have the power to:-

- i) co-opt people with relevant expertise or experience, including non-Members of the Court; and
- ii) submit reports on matters relevant to their responsibilities directly to the Court of Common Council.

#### **AUDIT & RISK MANAGEMENT COMMITTEE**

1. **Constitution**

A Non-Ward Committee consisting of,

- nine Members elected by the Court of Common Council\* at least one of whom shall have fewer than five years' service on the Court at the time of their appointment
- three external representatives (ie. non-Members of the Court of Common Council with no voting rights)
- the Chairman and Deputy Chairman of the Finance Committee (ex-officio with no voting rights)
- a representative of the Policy & Resources Committee (ex-officio with no voting rights)

\*The Chairmen of the Policy and Resources, Finance and Investment Committees are not eligible for election to this Committee and the Deputy Chairman of the Audit & Risk Management Committee for the time being may not be a Chairman of another Committee.

2. **Quorum**

The quorum consists of five Members ie. at least three Members elected by the Court of Common Council and at least one external representative.

3. **Membership 2014/15**

- 2 (2) Charles Edward Beck Bowman, Alderman, *for two years*
- 2 (2) Jamie Ingham Clark, *for two years*
- 2 (2) Timothy Russell Hailes, Alderman, *for three years*
- 4 (3) Nigel Kenneth Challis
- 4 (3) Oliver Arthur Wynlayne Lodge, T.D, B.Sc.
- 4 (2) Nicholas John Anstee, Alderman

together with three external representatives:-

- Hilary Daniels (*appointed for a four year term expiring in March 2016*)
- Kenneth Ludlum (*appointed for a three year term to expire in March 2017*)
- Caroline Mawhood (*appointed for a four year term expiring in March 2018*)

and together with the Members referred to in paragraph 1 and three Members to be appointed this day.

4. **Terms of Reference**

**Audit**

- (a) To consider and approve the annual internal and external audit plans.
- (b) To commission and to receive reports from the Chief Internal Auditor on the extent that the City of London Corporation can rely on its system of internal control and to provide reasonable assurance that the City of London Corporation's objectives will be achieved efficiently.
- (c) To meet with the external auditors prior to the presentation of the Accounts to the Court, consider the audited annual accounts of the City Fund and the various non-local authority funds, to receive and consider the formal reports, letters and recommendations of the City of London Corporation's external auditors and to make recommendations relating to the approval of the accounts (to the Finance Committee).
- (d) To meet with the external auditors of the City's various funds at least once in each calendar year prior to the presentation of the financial statements to the Court.
- (e) To report back as necessary to the Court of Common Council.
- (f) To appoint an Independent Audit Panel to make recommendations on the appointment of external auditors to the Court of Common Council.

**Risk Management**

- (a) To monitor and oversee the City of London Corporation's risk management strategy, anti-fraud and anti-corruptor arrangements; and to be satisfied that the authority's assurance framework properly reflect the risk environment.

- (b) To consider all audit or external inspection reports relating to any department at the City of London Corporation and seek assurance that action has been taken where necessary.
- (c) To receive an annual report from the Chamberlain reviewing the effectiveness of the City of London's risk management strategy.
- (d) To consider and report back to the Court on any risks related to all governance issues.

#### PLANNING & TRANSPORTATION COMMITTEE

1. **Constitution**  
A Ward Committee consisting of,
- four Aldermen nominated by the Court of Aldermen
  - up to 31 Commoners representing each Ward (two representatives for the Wards with six or more Members regardless of whether the Ward has sides) or Side of Ward.
2. **Quorum**  
The quorum consists of any nine Members.
3. **Membership 2014/15**

##### ALDERMEN

- 1 Neil Graham Morgan Redcliffe  
1 Matthew Richardson  
2 Professor Michael Raymond Mainelli  
1 Peter Estlin

##### COMMONERS

|         |  |                     |
|---------|--|---------------------|
| 10      | The Revd. Dr. Martin Dudley .....              | Aldersgate          |
| 2       | Randall Keith Anderson .....                   | Aldersgate          |
| 6       | Sylvia Doreen Moys .....                       | Aldgate             |
| 1       | Kenneth Edwin Ayers, M.B.E., Deputy .....      | Bassishaw           |
| 10      | Michael Welbank, M.B.E., Deputy .....          | Billingsgate        |
| 3       | Thomas Charles Christopher Sleigh .....        | Bishopsgate         |
| 2       | Patrick Thomas Streeter .....                  | Bishopsgate         |
| 6       | Oliver Arthur Wynlayne Lodge, T.D., B.Sc. .... | Bread Street        |
| 7       | Brian Nicholas Harris .....                    | Bridge and Bridge   |
| Without |  |                     |
| 2       | Christopher Michael Hayward .....              | Broad Street        |
| 20      | Stanley Keith Knowles, M.B.E., Deputy .....    | Candlewick          |
| 1       | Emma Edhem .....                               | Castle Baynard      |
| 1       | Graham David Packham .....                     | Castle Baynard      |
| 1       | Alastair Michael Moss, Deputy .....            | Cheap               |
| 6       | Sophie Anne Fernandes .....                    | Coleman Street      |
| 3       | George Marr Flemington Gillon .....            | Cordwainer          |
| 6       | Peter Gerard Dunphy .....                      | Cornhill            |
| 7       | Angela Starling .....                          | Cripplegate Within  |
| 4       | David Bradshaw .....                           | Cripplegate Without |
| 12      | James Henry George Pollard, Deputy .....       | Dowgate             |
| 7       | Alex Bain-Stewart M.Sc., J.P. ....             | Farringdon Within   |
| 2       | Graeme Martyn Smith .....                      | Farringdon Within   |
| 2       | Paul Nicholas Martinelli .....                 | Farringdon Without  |
| 2       | Gregory Percy Jones .....                      | Farringdon Without  |
| 9       | John Douglas Chapman, Deputy .....             | Langbourn           |
| 2       | Dennis Cotgrove, B.A. ....                     | Lime Street         |
| 2       | Henry Llewellyn Michael Jones, Deputy .....    | Portsoken           |
| 16      | Brian Desmond Francis Mooney, M.A. ....        | Queenhithe          |

|   |  |          |
|---|--|----------|
| 7 | Marianne Bernadette Fredericks.....        | Tower    |
| 9 | William Barrie Fraser, O.B.E., Deputy..... | Vintry   |
| 2 | James Michael Douglas Thomson, Deputy..... | Walbrook |

#### 4. Terms of Reference

To be responsible for:-

- (a) All functions of the City as local planning authority [relating to town and country planning and development control pursuant to the Town and Country Planning Act 1990, the Planning (Listed Building and Conservation Areas) Act 1990 and Compulsory Purchases Act 2004, the Planning Act 2008 and all secondary legislation pursuant to the same and all enabling legislation (including legislation amending or replacing the same).
- (b) Making recommendations to Common Council relating to the acquisition, appropriation and disposal of land held for planning purposes and to exercise all other functions of the local planning authority relating to land held for planning (or highways) purposes, and making determinations as to whether land held for planning or highways purposes is no longer required for those purposes, other than in respect of powers expressly delegated to another committee.
- (c) All functions of the Common Council as local highway, traffic, walkway and parking authority (other than in respect of powers expressly delegated to another committee) and the improvement of other open land under S.4 of the City of London (Various Powers) Act 1952.
- (d) All functions under part II of the City of London (Various Powers) Act 1967 including declaration, alteration and discontinuance of City Walkway.
- (e) All functions relating to the construction, maintenance and repair of sewers in the City, including public sewers (or behalf of Thames Water under an agency arrangement).
- (f) All functions relating to the Stopping Up of highway (including as local planning authority and highway authority).
- (g) All functions relating to street naming and numbering under the London Building Acts (Amendment) Act 1939.
- (h) All functions relating to the control, maintenance and repair of the five City river bridges (insofar as matters not within the delegated authority of another Committee).
- (i) All functions relating to building control under the Building Act 1984, Building Regulations 2000-10 and London Building Acts 1930-82.
- (j) The setting of building control charges under the Building (Local Authority Charges) Regulations 2010.
- (k) Response to and resolution of dangerous structures under the London Building Acts (Amendment) Act 1939.
- (j) All functions relating to the City of London Corporation's commemorative blue plaques.
- (k) All functions relating to the Local Land Charges Act 1975.
- (l) The appointment of the City Planning Officer.
- (m) The appointment of the Director of the Built Environment (in consultation with the Port Health and Environmental Services Committee).
- (n) The appointment of such Sub-Committees as is considered necessary for the better performance of its duties including a Streets & Walkways Sub-Committee.

#### **PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE**

1. **Constitution**  
A Ward Committee consisting of,
  - two Aldermen nominated by the Court of Aldermen
  - up to 31 Commoners representing each Ward (two representatives for the Wards with six or more Members regardless of whether the Ward has sides) or Side of Ward.
2. **Quorum**  
The quorum consists of any nine Members.
3. **Membership 2014/15**  
ALDERMEN
  - 1 Dr Andrew Charles Parmley, Mus.M., Hon. F.S.G.
  - 2 John Garbutt

## COMMONERS

|    |  |                              |
|----|--|------------------------------|
| 7  | Barbara Patricia Newman, C.B.E.  | Aldersgate                   |
| 2  | John Stuart Penton Lumley, Professor   | Aldersgate                   |
| 2  | Hugh Fenton Morris   | Aldgate                      |
| 10 | Michael Welbank, M.B.E., Deputy  | Billingsgate                 |
| 4  | Stanley Ginsburg J.P., Deputy  | Bishopsgate                  |
| 24 | William Harry Dove, M.B.E., J.P., Deputy<br>(Bread Street has paired with Cordwainer for this appointment) | Bishopsgate<br>Bread Street  |
| 18 | John Richard Owen-Ward, M.B.E., Deputy   | Bridge and Bridge<br>Without |
| 11 | John Alfred Bennett, Deputy  | Broad Street                 |
| 14 | Kevin Malcolm Everett D.Sc.  | Candlewick                   |
| 1  | Henrika Johanna Sofia Priest   | Castle Baynard               |
| 10 | Jeremy Lewis Simons M.Sc.  | Castle Baynard               |
| 4  | Ann Marjorie Francescia Pembroke   | Cheap                        |
| 2  | Andrew Stratton McMurtrie  | Coleman Street               |
| 19 | George Marr Flemington Gillon  | Cordwainer                   |
| 2  | Peter Gerard Dunphy  | Cornhill                     |
| 5  | Vivienne Littlechild, J.P.   | Cripplegate                  |
| 11 | John Tomlinson, B.A., M.Sc., Deputy  | Cripplegate                  |
| 2  | Mark Raymond Peter Henry Delano Wheatley   | Dowgate                      |
| 12 | Richard David Regan, Deputy  | Farringdon Within            |
| 2  | Karina Helen Dostalova   | Farringdon Within            |
| 15 | Wendy Mead   | Farringdon Without           |
| 2  | John David Absalom, Deputy   | Farringdon Without           |
| 2  | Philip John Woodhouse  | Langbourn                    |
| 2  | Henry Nicholas Colthurst   | Lime Street                  |
| 6  | Delis Regis  | Portsoken                    |
| 16 | Brian Desmond Francis Mooney, M.A.   | Queenhithe                   |
| 6  | Gerald Albert George Pulman, J.P., Deputy  | Tower                        |
| 5  | William Barrie Fraser, O.B.E., Deputy  | Vintry                       |
| 2  | James Michael Douglas Thomson, Deputy  | Walbrook                     |

Together with one Member to be appointed this day in place of the Ward of Bassishaw which is not making an appointment on this occasion.

4. **Terms of Reference**

- To be responsible for:-
- (a) all the City of London Corporation's environmental health, port health, animal health, consumer protection, licensing (with the exception of those which are in the province of another Committee), public conveniences, street cleansing, refuse collection and disposal, and cemetery and crematorium functions;
  - (b) the implementation of those sections of any Acts of Parliament and/or European legislation which direct that the local authority take action in respect of those duties listed at (a) above;
  - (c) the appointment of the Director of the Built Environment (in consultation with the Planning & Transportation Committee);
  - (d) the appointment of the Director of the Markets and Consumer Protection (in consultation with the Markets and Licensing Committees);
  - (e) the appointment of the Director of Open Spaces (in consultation with the Open Spaces & City Gardens Committee);
  - (f) determining any appeals against a decision not to grant City premises a licence under the provisions of the Marriage Act 1994 and the City of London (Approved Premises for Marriage) Act 1996 to conduct civil marriage ceremonies;
  - (g) the appointment of the City of London Coroner;



- (h) the Signor Pasquale Favale Bequest (registered charity no. 206949);
- (i) making recommendations to the Court of Common Council in respect of the making and sealing of byelaws for the variance of charges at the Animal Reception Centre.

**MARKETS COMMITTEE**

1. **Constitution**  
A Ward Committee consisting of,
  - two Aldermen nominated by the Court of Aldermen
  - up to 31 Commoners representing each Ward or Side of Ward (two representatives for the Wards with six or more Members regardless of whether the Ward has sides).

2. **Quorum**  
The quorum consists of any nine Members.

3. **Membership 2014/15**

ALDERMEN

- 2 Charles Bowman
- 2 Timothy Russell Hailes

COMMONERS

|    |   |                              |
|----|---|------------------------------|
| 12 | Joyce Carruthers Nash, O.B.E., Deputy .....     | Aldersgate                   |
| 2  | John Stuart Penton Lumley, Professor.....       | Aldersgate                   |
| 7  | Hugh Fenton Morris .....                        | Aldgate                      |
| 6  | Robert Allan Merrett.....                       | Bassishaw                    |
| 1  | Jamie Ingham Clark.....                         | Billingsgate                 |
| 13 | Stanley Ginsburg J.P., Deputy.....              | Bishopsgate                  |
| 2  | Patrick Thomas Streeter .....                   | Bishopsgate                  |
| 5  | Dr Giles Robert Evelyn Shilson, Deputy.....     | Bread Street                 |
| 7  | Brian Nicholas Harris .....                     | Bridge and Bridge<br>Without |
| 2  | Christopher Michael Hayward .....               | Broad Street                 |
| 11 | Stanley Keith Knowles, M.B.E., Deputy .....     | Candlewick                   |
| 1  | Christopher Paul Boden .....                    | Castle Baynard               |
| 8  | Michael Hudson.....                             | Castle Baynard               |
| 1  | Nicholas Bensted-Smith.....                     | Cheap                        |
| 2  | Ian Christopher Norman Seaton .....             | Cornhill                     |
| 2  | Angela Starling .....                           | Cripplegate Within           |
| 2  | Chris Punter .....                              | Cripplegate Without          |
| 2  | Mark Raymond Peter Henry Delano Wheatley.....   | Dowgate                      |
| 10 | Alex Bain-Stewart M.Sc., J.P. ....              | Farringdon Within            |
| 2  | Karina Helen Dostalova .....                    | Farringdon Within            |
| 2  | Wendy Mead .....                                | Farringdon Without           |
| 2  | Charles Edward Lord, O.B.E., J.P. ....          | Farringdon Without           |
| 8  | John Douglas Chapman, Deputy .....              | Langbourn                    |
| 7  | Elizabeth Rogula .....                          | Lime Street                  |
| 1  | Revd. William Campbell-Taylor .....             | Portsoken                    |
| 13 | Alastair John Naisbitt King, M.Sc., Deputy..... | Queenhithe                   |
| 6  | James Richard Tumbridge.....                    | Tower                        |
| 5  | Tom Hoffman.....                                | Vintry                       |

Together with the following Members in place of the three Wards (Coleman Street, Cordwainer and Walbrook) not making appointments on this occasion:-

Graham David Packham  
Adam Fox McCloud Richardson  
John George Stewart Scott, J.P.

4. **Terms of Reference**

To be responsible for:-

- (a) the management of all matters relating to Smithfield Market, Billingsgate Market and Spitalfields Market and the letting of all premises therein;
- (b) the appointment of the Director of Markets and Consumer Protection (in consultation with the Port Health and Environmental Services and Licensing Committees).

**POLICE COMMITTEE**

1. **Constitution**

A non-ward committee consisting of:

- 11 Members elected by the Court of Common Council including:
  - o a minimum of one Member who has fewer than five years' service on the Court at the time of his/her appointment; and,
  - o a minimum of two Members whose primary residence is in the City of London;
- 2 external members (i.e. non-Members of the Court of Common Council) appointed in accordance with the terms of the Police Committee Membership Scheme

2. **Quorum**

The quorum consists of any five Members.

3. **Membership 2014/15**

- 5 (3) Douglas Barrow, Deputy *for three years*
- 10 (3) Mark John Boleat, *for three years*
- 9 (3) James Henry George Pollard, Deputy, *for three years*
- 13 (3) Simon D'Olier Duckworth, M.A., D.L.
- 13 (3) Ian David Luder, B.Sc.(Econ.), C.B.E., Alderman
- 9 (3) Joyce Carruthers Nash, O.B.E., Deputy
- 6 (2) Alison Jane Gowman, Alderman
- 3 (2) Vivienne Littlechild, J.P.

Together with three Members to be appointed this day and two non-City of London Corporation Members:-

Don Randall MBE (*appointed for a four year term to expire in May 2015*)

Helen Marshall (*appointed for a four year term to expire in May 2017*)

4. **Terms of Reference**

To be responsible for:

- securing an efficient and effective police service in both the City of London and nationally, and, where so designated by the Home Office, nationally, and holding the Commissioner to account for the exercise of his/her functions and those persons under his/her direction and control;
- agreeing, each year, the objectives in the Policing Plan, which shall have regard to the views of local people, the views of the Commissioner and the Strategic Policing Requirement;
- any powers and duties vested in the Court of Common Council as police authority for the City of London by virtue of the City of London Police Act 1839, the Police and Criminal Evidence Act 1984, the Police Acts 1996 (as amended) and 1997, the Criminal Justice and Police Act 2001, the Police Reform Act 2002, the Police Reform and Social Responsibility Act 2011 and any other Act or Acts, Statutory Instruments, Orders in Council, Rules or byelaws etc from time to time in force, save the appointment of the Commissioner of Police which by virtue of Section 3 of the City of London Police Act 1839 remains the responsibility of the Common Council;
- making recommendations to the Court of Common Council regarding the appointment of the Commissioner of the City of London Police;
- the handling of complaints and the maintenance of standards across the Force;
- monitoring of performance against the City of London Policing Plan;
- appointing such sub-committees as are considered necessary for the better performance of its duties including an Economic Crime Board, a Performance and Resource Management Sub Committee and a Professional Standards and Integrity Sub Committee.

**CRIME AND DISORDER SCRUTINY COMMITTEE****1. Constitution**

A Non-Ward Committee consisting of the Chairman and Deputy Chairman of the

- Policy and Resources Committee, or their representatives;
- Police Committee or their representatives;
- Community and Children's Services Committee or their representatives; and
- Licensing Committee, or their representatives.

appointed in accordance with the Police and Justice Act 2006.

**2. Quorum**

The quorum consists of any three Members.

**3. Membership 2014/15**

The ex-officio Members referred to in paragraph 1 above.

**4. Terms of Reference**

(a) to be responsible for the review and scrutiny of decisions made, or other actions taken, in connection with the discharge by the responsible authorities and other members of the Safer City Partnership of their crime and disorder functions;

(b) to make reports or recommendations to other committees and to the Court of Common Council with respect to the discharge of those functions; and,

(c) to have at least one meeting each year dedicated to scrutinising crime and disorder matters.

**CULTURE, HERITAGE & LIBRARIES COMMITTEE****1. Constitution**

A Ward Committee consisting of,

- two Aldermen nominated by the Court of Aldermen
- up to 31 Commoners representing each Ward (two representatives for the Wards with six or more Members regardless of whether the Ward has sides) or Side of Ward
- the Chairman of the Board of Governors of the Guildhall School of Music & Drama (ex-officio)
- the Chairman of the Barbican Centre Board (ex-officio)

**2. Quorum**

The quorum consists of any nine Members.

**3. Membership 2014/15****ALDERMEN**

- 1 Sir Roger Gifford
- 2 William Russell

**COMMONERS**

- |   |  |                       |
|---|--|-----------------------|
| 4 | Barbara Patricia Newman, C.B.E. ....           | Aldersgate            |
| 2 | Jeremy Paul Mayhew, M.A., M.B.A. ....          | Aldersgate            |
| 4 | Sylvia Doreen Moys.....                        | Aldgate               |
| 1 | Kenneth Edwin Ayers, M.B.E., Deputy.....       | Bassishaw             |
| 2 | Jamie Ingham Clark .....                       | Billingsgate          |
| 2 | Wendy Marilyn Hyde.....                        | Bishopsgate           |
| 4 | William Harry Dove, M.B.E., J.P., Deputy ..... | Bishopsgate           |
| 2 | Dr Giles Robert Evelyn Shilson, Deputy.....    | Bread Street          |
| 1 | John Richard Owen-Ward, M.B.E., Deputy .....   | Bridge and<br>Without |
| 4 | John George Stewart Scott, J.P.....            | Broad Street          |
| 4 | Kevin Malcolm Everett D.Sc. ....               | Candlewick            |

|   |   |                    |
|---|---|--------------------|
| 2 | Graham David Packham.....                           | Castle Baynard     |
| 3 | Henrika Johanna Sofia Priest .....                  | Castle Baynard     |
| 4 | Ann Marjorie Francescia Pembroke .....              | Cheap              |
| 2 | Michael John Cassidy, C.B.E., Deputy.....           | Coleman Street     |
| 4 | Mark John Boleat .....                              | Cordwainer         |
| 2 | The Revd. Stephen Decatur Haines, M.A, Deputy ..... | Cornhill           |
| 4 | Vivienne Littlechild, J.P.....                      | Cripplegate        |
| 4 | Stephen Douglas Quilter, B.Sc.(Hons).....           | Cripplegate        |
| 2 | Mark Raymond Peter Henry Delano Wheatley.....       | Dowgate            |
| 4 | Richard David Regan, Deputy.....                    | Farringdon Within  |
| 4 | Anthony Noel Eskenzi, C.B.E., D.Sc., Deputy.....    | Farringdon Within  |
| 2 | Emma Charlotte Louisa Price .....                   | Farringdon Without |
| 1 | Paul Nicholas Martinelli .....                      | Farringdon Without |
| 2 | Judith Lindsay Pleasance .....                      | Langbourn          |
| 4 | Dennis Cotgrove, B.A. ....                          | Lime Street        |
| 4 | Delis Regis .....                                   | Portsoken          |
| 4 | Alastair John Naisbitt King, M.Sc, Deputy.....      | Queenhithe         |
| 2 | Gerald Albert George Pulman, J.P., Deputy.....      | Tower              |
| 4 | Tom Hoffman.....                                    | Vintry             |
| 2 | Lucy Roseanne Frew.....                             | Walbrook           |

#### 4. Terms of Reference

To be responsible for:-

- (a) the City Corporation's activities and services in the fields of culture, heritage and visitors including the development of relevant strategies and policies, reporting to the Court of Common Council as appropriate;
- (b) the management of the City's libraries and archives, including its functions as a library authority in accordance with the Public Libraries and Museums Act 1964 and all other powers and provisions relating thereto by providing an effective and efficient library service;
- (c) the management of the Guildhall Art Gallery and all the works of art belonging to the City of London Corporation;
- (d) the appointment of the Director of Culture, Heritage and Libraries;
- (e) the management and maintenance and, where appropriate, furnishing the City Information Centre, the Monument, the Roman Baths (Lower Thames Street) and the visitor and events elements of Tower Bridge;
- (f) matters relating to the City's obligations for its various benefices;
- (g) the upkeep and maintenance of the Lord Mayor's State Coach, the semi-state coaches, the Sheriff's Chariots and State Harness;
- (h) cart marking;
- (i) the development and implementation of a strategy for the management of Keats House (registered charity no. 1053381) and all of the books and artefacts comprising the Keats collection, in accordance with the relevant documents governing this charitable activity;
- (j) overseeing the City's Miscellaneous Arts and Related Initiatives Budget, including any individual funding request above £2,000, annual budget requests and any future review of the fund;
- (k) the management of Guildhall Library Centenary Fund (registered charity no. 206950);
- (l) making recommendations to the Court of Common Council regarding the Cultural Strategy, the Visitor Strategy and other corporate strategies, statements or resolutions relating to any of its functions, following consultation with the Policy & Resources Committee;
- (m) responsibility for the production and publication of the official City of London Pocketbook;
- (n) appointing such Sub-Committees and/or Consultative Committees as are considered necessary for the better performance of its duties including the following areas:-  
Benefices  
Keats House

**BOARD OF GOVERNORS OF THE CITY OF LONDON SCHOOL****1. Constitution**

A Non-Ward Committee consisting of,

- one Alderman nominated by the Court of Aldermen
- up to 10 Members elected by the Court of Common Council at least one of whom shall have fewer than five years' service on the Court at the time of their appointment
- the following ex-officio Members:-
  - the Chairman of the Board of Governors of City of London School for Girls
  - the Chairman of the Board of Governors of City of London Freeman's School
  - up to five co-opted non-City of London Corporation Governors with experience relevant to the Board

The Chairman of the Board shall be elected from the City Corporation Members.

**2. Quorum**

The quorum consists of any five Common Council Governors.

Any decision taken by the Board of Governors shall require the agreement of a majority of Common Council Governors present at the meeting and voting.

**3. Membership 2014/15****ALDERMAN**

1 David Andrew Graves

**COMMONERS**

6 (4) Marianne Bernadette Fredericks  
 3 (3) Sylvia Doreen Moys, *for three years*  
 16 (3) William Harry Dove, M.B.E., J.P., Deputy  
 12 (3) Joyce Carruthers Nash, O.B.E., Deputy  
 2 (2) Sophie Anne Fernandes  
 6 (2) Charles Edward Lord, O.B.E., J.P.  
 6 (2) Dr Giles Robert Evelyn Shilson, Deputy

together with:-

Mr R. Lehmann  
 Lord Levene of Portsoken  
 Mr C. S. Martin, M.A.  
 Dame Mary Richardson  
 Professor J.M.A. Whitehouse

together with the ex-officio Members referred to in paragraph 1 above and three Members to be appointed this day.

**4. Terms of Reference**

- To be responsible for:-
- (a) all School matters;
  - (b) the management of the School land and buildings belonging to the City of London Corporation;
  - (c) the appointment of the Headmaster/Headmistress and, where appropriate, the deputies and the Director of Finance.

**BOARD OF GOVERNORS OF THE CITY OF LONDON SCHOOL FOR GIRLS****1. Constitution**

A Non-Ward Committee consisting of,

- up to two Aldermen nominated by the Court of Aldermen
- up to 12 Members elected by the Court of Common Council at least one of whom shall have fewer than five years' service on the Court at the time of their appointment
- the following ex-officio Members:-
  - the Chairman of the Board of Governors of City of London School
  - (i) the Chairman of the Board of Governors of City of London Freeman's School
  - up to six co-opted non-City of London Corporation Governors with experience relevant to the Board

The Chairman of the Board shall be elected from the City Corporation Members.

2. **Quorum**

The quorum consists of any five Common Council Governors.

Any decision taken by the Board of Governors shall require the agreement of a majority of Common Council Governors present at the meeting and voting.

3. **Membership 2014/15**

ALDERMEN

- 1 William Russell
- 1 Vincent Keaveny

COMMONERS

- 13 (4) Tom Hoffman
- 13 (4) Sylvia Doreen Moys
- 4 (4) Virginia Rounding
- 18 (2) Dennis Cotgrove, B.A., *for three years*
- 14 (3) Richard David Regan, Deputy
- 25 (3) Sir Michael Snyder, Deputy
- 2 (2) William Harry Dove, M.B.E., J.P., Deputy
- 13 (2) The Revd. Dr. Martin Dudley
- 7 (2) Clare James, M.A.

together with :-

Prof. J. Betteridge  
Dr. S. Ellington  
Ms. Mary Robey  
Mr R. Sermon MBE

together with the ex-officio Members referred to in paragraph 1 above and three Members to be appointed this day.

4. **Terms of Reference**

To be responsible for:-

- (a) all School matters;
- (b) the management of the School land and buildings belonging to the City of London Corporation;
- (c) the appointment of the Headmaster/Headmistress and, where appropriate, the deputies and the bursar.

**BOARD OF GOVERNORS OF THE CITY OF LONDON FREEMEN'S SCHOOL**

1. **Constitution**

A Non-Ward Committee consisting of,

- up to two Aldermen nominated by the Court of Aldermen
- up to 12 Members elected by the Court of Common Council at least one of whom shall have fewer than five years' service on the Court at the time of their appointment
- the following ex-officio Members:-
- the Chairman of the Board of Governors of City of London School
- the Chairman of the Board of Governors of City of London School for Girls
- up to six co-opted non-City of London Corporation Governors with relevant experience of education

The Chairman of the Board shall be elected from the City Corporation Members.

2. **Quorum**

The quorum consists of any five Common Council Governors.

Any decision taken by the Board of Governors shall require the agreement of a majority of Common Council Governors present at the meeting and voting.

3. **Membership 2014/15**

## ALDERMEN

- 2 Dr Andrew Charles Parmley, Mus.M., Hon. F.S.G.  
2 Peter Hewitt

## COMMONERS

- 10 (4) John Alfred Bennett, Deputy  
6 (4) Michael Hudson  
2 (2) Judith Lindsay Pleasance (*for two years*)  
3 (3) Stuart John Fraser, C.B.E.  
2 (2) Graham David Packham (*for three years*)  
11 (2) Roger Arthur Holden Chadwick  
6 (2) Vivienne Littlechild  
2 (2) Hugh Fenton Morris

together with :-

- Mr F. M. Bramwell  
Sir Clive Martin O.B.E., T.D., D.L.  
Mr Douglas Mobsby M.B.E.  
Mr C. Townsend  
Mrs G Yarrow  
Mr A McMillan

Together with the ex-officio Members referred to in paragraph 1 above and four Members to be appointed this day.

4. **Terms of Reference**

- To be responsible for:-
- (a) all School matters;
  - (b) the management of the School land and buildings belonging to the City of London Corporation;
  - (c) the appointment of the Headmaster/Headmistress and, where appropriate, the deputies and the bursar.

**BOARD OF GOVERNORS OF THE GUILDHALL SCHOOL OF MUSIC & DRAMA**

1. **Constitution**

A Non-Ward Committee consisting of,  
11 Members elected by the Court of Common Council for a term of three years (renewable twice) at least one of whom shall have fewer than five years' service on the Court at the time of their appointment  
the Principal of the Guildhall School of Music & Drama  
one member of the Guildhall School academic staff to be elected by the Academic staff for a term of three years (renewable twice)  
one member of the Guildhall School administrative staff to be elected by such staff for a term of three years (renewable twice)  
one Guildhall student representative who shall normally be the President of the Students' Union  
up to six co-opted non-City of London Corporation Governors with appropriate expertise for a term of three years (renewable twice)

None of the appointed Governors shall serve on the Board for more than a maximum of nine years.

The Chairman and Deputy Chairman of the Board shall be elected from the City Corporation Members.

The Chairman of the Barbican Centre Board, the Chairman of the Culture, Heritage & Libraries Committee and one representative of the Centre for Young Musicians shall be permitted to attend the Board in a non-voting, advisory capacity.

2. **Quorum**

The quorum consists of any seven Common Council Governors.

3. **Membership 2014/15**

- 7 (3) John Alfred Barker, O.B.E., Deputy
- 6 (3) David Andrew Graves, Alderman
- 2 (2) Jeremy Paul Mayhew, M.A., M.B.A., *for three years*
- 8 (3) Ann Marjorie Francesca Pembroke
- 5 (3) Jeremy Lewis Simons MSc
- 5 (2) John Alfred Bennett, Deputy
- 2 (2) Marianne Bernadette Fredericks
- 8 (2) John George Stewart Scott, J.P., B.A.(Hons)
- 2 (2) Angela Starling

together with those referred to in paragraph 1 above, two Members to be appointed this day and:-

- the Principal of the Guildhall School for the time being - Prof Barry Ife, C.B.E., F.K.C., Hon. FRAM., B.A.(Hons.), Ph.D., A.L.C.M.
- one Academic Member of the Guildhall School Staff, elected by the Academic Staff - Vacancy
- one Non-Academic Member of the Guildhall School Staff, elected by the administrative staff - Gareth Higgins
- one Guildhall School Student representative (President of the Student Union for the time being) - Ieuan Davies
- up to 6 Non-City of London Corporation Members with appropriate expertise - Sir Andrew Burns  
Christina Coker O.B.E.  
Neil Constable  
Paul Hughes  
Kathryn McDowell, C.B.E., D.L.  
Vacancy

#### 4. **Terms of Reference**

To be responsible for:-

- (a) the approval of a strategic plan and the determination of the educational character and the mission/aims of the Guildhall of Music & Drama and oversight of its activities;
- (b) the approval of an annual Business Plan;
- (c) the approval of annual estimates of income and expenditure;
- (d) the approval of the annual audited financial statements of the Guildhall School of Music & Drama;
- (e) the appointment of the Principal of the Guildhall School of Music & Drama

### **COMMUNITY & CHILDREN'S SERVICES COMMITTEE**

#### 1. **Constitution**

A Ward Committee consisting of,  
two Aldermen nominated by the Court of Aldermen  
up to 33 Commoners representing each Ward (two representatives for the Wards with six or more Members regardless of whether the Ward has sides), those Wards having 200 or more residents (based on the Ward List) being able to nominate a maximum of two representatives  
a limited number of Members co-opted by the Committee (e.g. the two parent governors required by law)

In accordance with Standing Order Nos. 29 & 30, no Member who is resident in, or tenant of, any property owned by the City of London and under the control of this Committee is eligible to be Chairman or Deputy Chairman.

#### 2. **Quorum**

The quorum consists of any nine Members. [N.B. - the co-opted Members only count as part of the quorum for matters relating to the Education Function]

#### 3. **Membership 2014/15**



## ALDERMEN

- 1 David Andrew Graves
- 2 Timothy Russell Hailes

## COMMONERS

|   |  |                    |
|---|--|--------------------|
| 9 | The Revd. Dr. Martin Dudley .....                    | Aldersgate         |
| 4 | Joyce Carruthers Nash, O.B.E., Deputy.....           | Aldersgate         |
| 2 | Dhruv Patel .....                                    | Aldgate            |
| 1 | Michael Welbank, M.B.E., Deputy .....                | Billingsgate       |
| 2 | Thomas Charles Christopher Sleigh .....              | Bishopsgate        |
| 9 | William Harry Dove, M.B.E., J.P., Deputy .....       | Bishopsgate        |
| 1 | Emma Edhem.....                                      | Castle Baynard     |
| 8 | Catherine McGuinness, M.A., Deputy.....              | Castle Baynard     |
| 2 | Alastair Michael Moss, Deputy .....                  | Cheap              |
| 8 | The Revd. Stephen Decatur Haines, M.A., Deputy ..... | Cornhill           |
| 1 | John Alfred Barker, O.B.E., Deputy .....             | Cripplegate        |
| 6 | Gareth Wynford Moore .....                           | Cripplegate        |
| 1 | Mark Raymond Peter Henry Delano Wheatley.....        | Dowgate            |
| 4 | Virginia Rounding.....                               | Farringdon Within  |
| 1 | Ann Holmes.....                                      | Farringdon Within  |
| 1 | Emma Charlotte Louisa Price .....                    | Farringdon Without |
| 2 | Adam Fox McCloud Richardson .....                    | Farringdon Without |
| 2 | Judith Lindsay Pleasance.....                        | Langbourn          |
| 7 | Elizabeth Rogula .....                               | Lime Street        |
| 5 | Henry Llewellyn Michael Jones, Deputy .....          | Portsoken          |
| 3 | John Fletcher .....                                  | Portsoken          |
| 8 | Brian Desmond Francis Mooney, M.A. ....              | Queenhithe         |
| 3 | Marianne Bernadette Fredericks.....                  | Tower              |
| 9 | William Barrie Fraser, O. B. E., Deputy.....         | Vintry             |

Together with eight Members, to be appointed this day, in place of the eight Wards (Bassishaw, Bread Street, Bridge, Broad Street, Candlewick, Coleman Street, Cordwainer and Walbrook) not making appointments on this occasion.

4. **Terms of Reference**

- To be responsible for:-
- (a) the appointment of the Director of Community & Children's Services;
  - (b) the following functions of the City of London Corporation (other than in respect of powers expressly delegated to another committee, sub committee, board or panel):-
    - Children's Services
    - Adults' Services
    - Education
    - Social Services
    - Social Housing (ie. the management of the property owned by the City of London Corporation under the Housing Revenue Account and the City Fund in accordance with the requirements of all relevant legislation and the disposal of interests in the City of London Corporation's Housing Estates (pursuant to such policies as are from time to time laid down by the Court of Common Council)
    - public health (within the meaning of the Health and Social Care Act 2012), liaison with health services and health scrutiny
    - Sport/Leisure Activities
    - management of the City of London Almshouses (registered charity no 1005857) in accordance with the charity's governing instruments
 and the preparation of all statutory plans relating to those functions and consulting as appropriate on the exercise of those functions;
  - (c) making recommendations to the Court of Common Council regarding the constitutional arrangements for the Governing Bodies of the City of London Academies (including Governor appointments);
  - (d) oversight and monitoring of the City of London's sponsorship of its Academies;

- (e) the management of The City of London Corporation Combined Education Charity (registered charity no. 312836);
- (f) appointing Statutory Panels, Boards and Sub-Committees as are considered necessary for the better performance of its duties including the following areas:-  
Housing Management and Almshouses Sub-Committee  
Health & Social Care Scrutiny Sub-Committee  
Safeguarding Sub-Committee

**GRESHAM COMMITTEE (CITY SIDE)**

1. **Constitution**  
A Non-Ward Committee consisting of,  
two Aldermen nominated by the Court of Aldermen  
nine Members elected by the Court of Common Council, at least one of whom shall have fewer than five years' service on the Court at the time of their appointment  
the Right Honourable the Lord Mayor (ex-officio)

2. **Quorum**  
The quorum consists of any three Members.

3. **Membership 2014/15**

ALDERMEN

- 1 Ian David Luder, B.Sc.(Econ.)
- 2 Professor Michael Raymond Mainelli

COMMONERS

- 7 (4) Simon D'Olier Duckworth, D.L.
- 4 (4) Dr Giles Robert Evelyn Shilson, Deputy
- 6 (3) Brian Nicholas Harris
- 10 (3) Tom Hoffman, LL.B.
- 13 (2) Anthony Noel Eskenzi, C.B.E., D.Sc., Deputy
- 2 (2) Ian Christopher Norman Seaton

together with the ex-officio Member referred to in paragraph 1 above and three Members to be appointed this day.

4. **Terms of Reference**

To be responsible for:-

- (a) letting and demising the lands and tenements given to this City by Sir Thomas Gresham by his last Will and Testament otherwise to do and perform all and everything and things according to the true intent and meaning of the said last Will and Testament of the said Sir Thomas Gresham and the several Acts of Parliament for that purpose made with limitation provisions as in the same are directed;

(Note: The estate, so far as it relates to the land that was left to the City of London Corporation and the Mercers' Company is administered by the Joint Grand Gresham Committee, which consists of the City Side and an equal number of Members. The legal obligations upon the City of London Corporation under the terms of Sir Thomas Gresham's Will, as varied by statute and discharged by the City Side, are limited:-

- (i) to the appointment and payment of four of the Gresham Lecturers, namely those in Divinity, Astronomy, Music and Geometry, and in the provision of a sufficient and proper place for the delivery of the lectures;
  - (ii) to the maintenance of eight almshouses in Ferndale Road, Brixton, to the appointment of eight "almshouses" and payment of a small annual sum to each of them);
- (b) all other City Side matters relating to Gresham College including:-
    - (i) the appointment, from the membership of the Court of Common Council, of one representative to attend General Meetings of the Council of Gresham College and up to four Directors to serve on the Council of Gresham College
    - (ii) any amendments to the current Memorandum and Articles of Association of Gresham College, other than financial aspects and those which, in the opinion of the Committee, are significant and should be considered by the Court

**ESTABLISHMENT COMMITTEE**

1. **Constitution**  
A Non-Ward Committee consisting of,  
one Alderman nominated by the Court of Aldermen  
15 Members elected by the Court of Common Council at least two of whom shall have fewer than five years' service  
on the Court the time of their appointment  
a representative of the Finance Committee
2. **Quorum**  
The quorum consists of any four Members.
3. **Membership 2014/15**  
ALDERMAN  
2 Alan Colin Drake Yarrow

## COMMONERS

- 21 (4) John Alfred Barker, O.B.E., Deputy
- 2 (2) Nigel Kenneth Challis, *for two years*
- 2 (2) Richard David Regan, Deputy, *for two years*
- 4 (4) Elizabeth Rogula
- 2 (2) Jeremy Paul Mayhew, M.A., M.B.A., *for three years*
- 28 (3) Joyce Carruthers Nash, O.B.E., Deputy
- 18 (3) Barbara Patricia Newman, C.B.E.
- 2 (2) William Harry Dove, M.B.E., J.P., Deputy
- 2 (2) Wendy Mead
- 6 (2) Sylvia Doreen Moys
- 4 (2) Angela Starling

together with the ex-officio Member referred to in paragraph 1 above and four Members to be appointed this day..

4. **Terms of Reference**
  - (a) The Establishment Committee has specific authority to deal with or make recommendations to the Court of Commc Council where appropriate on all matters relating to the employment of City of London Corporation employees when such matters are not specifically delegated to another Committee. These matters include:-  
Conditions of employment;  
Superannuation (apart from investments);  
Workforce planning;  
Wages, salaries structure, job evaluation and staff grading;  
Organisation reviews;  
Employee relations;  
Joint consultation;  
Learning and employee development;  
Recruitment and selection;  
Discipline, dismissal, redundancies in line with the appropriate stages in policy etc;  
Occupational health, safety and welfare;  
  
NB. The exception to this rule is, whilst the support staff in the City of London Police come within the purview of th Committee, the uniformed Police come under the Police Committee.
  - (b) To approve:-
    - (i) Reports of Heads of Departments recommending changes to senior management posts of Grade I and above which need the approval of the Court.
    - (ii) The structure and application of Job Evaluation Schemes and any amendments thereto.
  - (c) To approve and promulgate Human Resources policies and practices so that the City of London Corporation can recruit, retain and motivate its employees and carry out its functions to the highest standards of quality and cost effectiveness;
  - (d) To instigate and promulgate organisational reviews of departments and to approve their reports and comments on proposed changes in organisation to ensure that manpower resources are deployed in an efficient and effective manner.

- (e) To make amendments to:-
- (i) the general terms and conditions of employment which are contained in the employee handbook, such as working hours, annual leave, superannuation, leave of absence, allowances, maternity provisions, and sick pay;
  - (ii) those procedures which form part of the contract of employment to include the grievance, disciplinary, capability, harassment, and appeals procedures, the learning and employee development scheme, motor car, and motorcycle assisted purchase scheme and the staff suggestion scheme.
- (f) To appoint seven members (including the representative of the Finance Committee):-
- (i) to act as the Employer's side of the Joint Consultative Committee when meeting 8 members of the recognised unions, AMICUS and GMB for the purpose of collective consultation and negotiation on general matters relating to salaries and terms and conditions of service etc. of City of London Corporation employees up to and including Grade G but excluding teachers and City Police Officers;
  - (ii) to act as the Employer's side of the Senior Management Joint Consultative Committee when meeting representatives of senior management of grades H and above, including High and Table Officers, for the purpose of collective consultation and negotiation on general matters relating to salaries and terms and conditions of service, etc;
- (g) To increase Judges' salaries if they follow the recommendations of the Top Review Board and are approved by the Lord Chancellor.
- (h) To increase the salary of the Coroner if it follows the recommendations of the Joint Negotiating Committee for Coroners.
- (i) To consider submissions of the Board or Boards of Governors relating to teaching staff, which, inter alia, may have to be finally submitted to the Court of Common Council.
- (j) To approve any increase in the salaries for teachers at the three City Schools if they are in excess of that recommended by the School Teachers' Review Body and any proposed changes to the basic salary structure or restructuring of the common pay spine for teachers.
- (k) To approve:-
- (i) the learning and employee development policy, strategy and budget;
  - (ii) the Health and Safety and Occupational Health policies and strategies.
- (l) To be the service Committee for the following Departments:-  
Town Clerk's  
Comptroller and City Solicitor's
- (m) To be responsible for the appointment of the Coroner (and see (h) above).
- (n) In accordance with the Scheme of Delegation, to receive details of:
- i) redundancies and early retirements
  - ii) Professional Fees and Annual Subscriptions
  - iii) Market Forces Supplements
  - iv) Long Service Awards
  - v) payment to an officer of an honorarium, gratuity or payment for extra services
  - vi) the extension of service of an officer who has reached retirement age or for an extension of sick leave of an officer whether on full or half pay
- (o) To be responsible for the monitoring and control of overtime, sickness absence, changes to staffing resources, equal opportunities, job evaluation and the termination of employment.

#### **OPEN SPACES & CITY GARDENS COMMITTEE**

1. **Constitution**  
A Non-Ward Committee consisting of,  
eight Members elected by the Court of Common Council, at least one of whom shall have fewer than five years' service on the Court at the time of their appointment  
the following ex-officio Members:-  
the Chairman and Deputy Chairman of the Epping Forest & Commons Committee  
the Chairman and Deputy Chairman of the Hampstead Heath, Highgate Wood & Queen's Park Committee
2. **Quorum**  
The quorum consists of any five Members.
3. **Membership 2014/15**

- 4 (4) Wendy Mead
- 4 (4) Michael Welbank, M.B.E., Deputy
- 4 (3) Alexander John Cameron Deane, Deputy
- 2 (2) Jeremy Lewis Simons M.Sc., *for three years*
- 2 (2) Robert Picton Seymour Howard, Deputy
- 2 (2) Barbara Patricia Newman, C.B.E.

Together with the ex-officio Members referred to in paragraph 1 above and two Members to be appointed this day.

#### 4. Terms of Reference

To be responsible for:-

##### **Open Spaces**

- (a) dealing with, or making recommendations to the Court of Common Council where appropriate, all matters relating strategic management (eg. policy, financial and staffing) of the City of London Corporation's open spaces where matters are not specifically the responsibility of another Committee; and
- (b) the appointment of the Director of Open Spaces (in consultation with the Port Health and Environmental Se Committee);

##### **City Open Spaces**

- (c) the management and day-to-day administration of the gardens, churchyards and open spaces in the City under the c of the Common Council, together with Bunhill Fields Burial Ground;
- (d) arrangements for the planting and maintenance of trees and other plants and shrubs in open spaces and in foo adjacent to highways in the City;
- (e) advising on applications for planning permission relating in whole or in part to the gardens, churchyards or open spa the City under the control of the Common Council; and
- (f) the functions of the Common Council under the Local Government (Miscellaneous Provisions) Act 1976 to make s; felling, or otherwise, dangerous trees in the City generally on receipt of notices served on the City of London Corpora the circumstances set out in Section 23 of the Act and where trees are in danger of damaging property.

### WEST HAM PARK COMMITTEE

#### 1. Constitution

A Non-Ward Committee consisting of, eight Members elected by the Court of Common Council, at least one of whom shall have fewer than five years' service on the Court at the time of their appointment; the membership to be the same as the Open Spaces & City Gardens Committee.

plus the following:-

four representatives nominated by the Heirs-at-Law of the late John Gurney  
one representative nominated by the Parish of West Ham  
two representatives nominated by the London Borough of Newham

#### 2. Quorum

The quorum consists of any five Members.

#### 3. Membership 2014/15

- 4 (4) Wendy Mead
- 4 (4) Michael Welbank, M.B.E., Deputy
- 4 (3) Alexander John Cameron Deane, Deputy
- 2 (2) Jeremy Lewis Simons M.Sc., *for three years*
- 2 (2) Robert Picton Seymour Howard, Deputy
- 2 (2) Barbara Patricia Newman, C.B.E.

Together with the ex-officio Members referred to in paragraph 1 above, two Members to be appointed this day and:-

Four representatives appointed by the heirs-at-law of the late John Gurney:-

- Catherine Bickmore
- Robert Cazenove (Heir-at-Law)
- Richard Gurney
- Justin Meath-Baker

One representative appointed by the incumbent or priest, for the time being, in charge of the present benefice of W Ham:-

- The Revd. Stennett Kirby

Two representatives appointed by the London Borough of Newham

- Councillor Joy Laguda, M.B.E.

- Councillor Bryan Collier, M.B.E.

#### 4. Terms of Reference

- To:-
- (a) have regard to the overall policy laid down by the Open Spaces & City Gardens Committee;
  - (b) be responsible for the ownership and management of West Ham Park (registered charity no. 206948) in accordance with the terms of conveyance of the Park by John Gurney, Esq. to the City of London Corporation dated 20th July 1874 in accordance with the Licence in Mortmain dated 22nd May 1874 and the management of a Nursery; and
  - (c) authorise the institution of any criminal or civil proceedings arising out of the exercise of its functions.

### EPHING FOREST & COMMONS COMMITTEE

#### 1. Constitution

A Non-Ward Committee consisting of,  
 two Aldermen nominated by the Court of Aldermen  
 8 Members elected by the Court of Common Council at least one of whom shall have fewer than five years' service on the Court at the time of their appointment  
 the Chairman and Deputy Chairman of the Open Spaces & City Gardens Committee (ex-officio)  
 plus, for the consideration of business relating to Epping Forest only, four Verderers elected or appointed pursuant to the Epping Forest Act 1878.

#### 2. Quorum

The quorum consists of any five Members.  
*For the purpose of non-Epping Forest related business the quorum must consist of five Committee Members who must be Members of the Court of Common Council.*

#### 3. Membership 2014/15

##### ALDERMEN

- 7 Gordon Warwick Haines
- 2 Jeffrey Richard Evans

##### COMMONERS

- 4 (4) Virginia Rounding
- 2 (2) Ian Christopher Norman Seaton, *for two years*
- 4 (3) George Christopher Abrahams
- 11 (3) John Alfred Barker, O.B.E., Deputy
- 6 (2) Stanley Ginsburg J.P., Deputy
- 10 (2) Catherine McGuinness, M.A., Deputy

together with the ex-officio Members referred to in paragraph 1 above, two Members to be appointed this day and:-

Verderers pursuant to the provisions of the Epping Forest Act, 1878:-

- Mr. P. Adams
- Mr. M. Chapman
- Mr. R. Morris, O.B.E.
- Dr. J. Thomas

#### 4. Terms of Reference

To be responsible, having regard to the overall policy laid down by the Open Spaces & City Gardens Committee, for:-

- (a) exercising of the powers and duties of the Court of Common Council as Conservators of Epping Forest (registered charity no. 232990) and the various additional lands which have been acquired to protect the Forest in accordance, where appropriate, with the Epping Forest Acts 1878 and 1880 (as amended) and all other relevant legislation.

- (b) the ownership and management of the following open spaces in accordance with the provisions of the Corporation of London Open Spaces Act 1878:-  
 Coulsdon and other Commons (registered charity no. 232989), the other Commons being Kenley Common, Farthing Downs and Riddlesdown  
 West Wickham Common and Spring Park (registered charity no. 232988)  
 Ashtead Common (registered charity no. 1051510)  
 Burnham Beeches and Stoke Common (registered charity no. 232987)
- (c) appointing such Consultative Committees as are considered necessary for the better performance of its duties including:-  
 Ashtead Common Consultative Committee  
 Burnham Beeches Consultative Committee  
 Coulsdon Commons Consultative Committee  
 Epping Forest Centre Joint Consultative Committee  
 West Wickham Commons Consultative Committee

### **HAMPSTEAD HEATH, HIGHGATE WOOD & QUEEN'S PARK COMMITTEE**

#### 1. **Constitution**

A Non-Ward Committee appointed pursuant to the London Government Reorganisation (Hampstead Heath) Order 1989 consisting of not fewer than 18 Members in the following categories:-  
 not fewer than 12 Members elected by the Court of Common Council, at least one of whom shall have fewer than five years' service on the Court at the time of their appointment  
 the Chairman and Deputy Chairman of the Open Spaces & City Gardens Committee (ex-officio)  
 plus, for the consideration of business relating to Hampstead Heath only, at least six representatives who must not be Members of the Court of Common Council or employees of the City of London Corporation and at least six of whom are to be appointed as follows:-  
     one after consultation with the London Borough of Barnet  
     one after consultation with the London Borough of Camden  
     one after consultation with the owners of the Kenwood lands  
     three after consultation with bodies representing local, ecological, environmental or sporting interests

The Chairman of the Committee shall be elected from the City Corporation Members.

#### 2. **Quorum**

- A. For Hampstead Heath business the quorum consists of seven Members, at least one of whom must be a non-Common Council Member.
- B. For Highgate Wood and Queen's Park business the quorum consists of three Members.

#### 3. **Membership 2014/15**

- 4 (4) The Revd. Dr. Martin Dudley
- 4 (4) Clare James, M.A.
- 2 (2) Thomas Charles Christopher Sleigh, *for two years*
- 6 (3) Barbara Patricia Newman, C.B.E.
- 4 (3) Virginia Rounding
- 3 (3) John Richard Owen-Ward, M.B.E., Deputy
- 13 (2) John Alfred Barker, O.B.E., Deputy
- 9 (2) Jeremy Lewis Simons MSc.
- 2 (2) John Stuart Penton Lumley, Professor

Together with the ex-officio Members referred to in paragraph 1 above, three Members to be appointed this day and following representatives from outside organisations:-

|   |   |                         |
|---|---|-------------------------|
| Heath and Hampstead Society               | - | Tony Ghilchik           |
| English Heritage                          | - | Vacancy                 |
| Royal Society for the Protection of Birds | - | Martyn Foster           |
| London Borough of Barnet                  | - | Councillor Melvin Cohen |
| London Borough of Camden                  | - | Councillor Sally Gimson |
| Ramblers' Association/Open Spaces Society | - | Maija Roberts           |

#### 4. **Terms of Reference**

To be responsible, having regard to the overall policy laid down by the Open Spaces & City Gardens Committee, for:-

##### **Hampstead Heath**

- (a) devising and implementing the City of London Corporation's policies and programmes of work in relation to Hampstead Heath (registered charity no. 803392) (and, in fulfilling those purposes, to have regard to any representations made to the Hampstead Heath Consultative Committee) in accordance with the London Government Re-organisation (Hampstead Heath) Order 1989;

- (b) exercising all the City of London Corporation's powers and duties relating to Hampstead Heath, including those set out in Regulation 5 of the London Government Re-organisation (Hampstead Heath) Order 1989, or in any Act or Statutory Instrument consolidating, amending or replacing the same;
- Highgate Wood & Queen's Park**
- (c) devising and implementing the City of London Corporation's policies and programmes of work in relation to Highgate Wood and Queen's Park (registered charity no. 232986) ) (and, in fulfilling those purposes, to have regard to any representations made to it by the Highgate Wood Joint Consultative Committee and the Queen's Park Joint Consultative Group) in accordance with the provisions of the Highgate Wood and Kilburn Open Spaces Act 1886;
- Consultative Committees**
- (d) appointing such Consultative Committees as are considered necessary for the better performance of its duties including a,  
Hampstead Heath Consultative Committee  
Highgate Wood Joint Consultative Committee  
Queen's Park Joint Consultative Group

#### **FREEDOM APPLICATIONS COMMITTEE**

1. **Constitution**  
A Non-Ward Committee consisting of:-  
two Aldermen nominated by the Court of Aldermen  
the following ex-officio Members:-  
the Chief Commoner  
the Chairman and a Deputy Chairman of the Policy & Resources Committee
2. **Quorum**  
The quorum consists of any three Members.
3. **Membership 2014/15**  
  
Sir David Howard, Bt., M.A., D.Sc., Alderman  
Sir David Hugh Wootton, Alderman  
  
together with the ex-officio Members referred to in paragraph 1 above.
4. **Terms of Reference**  
  
To examine and report back on any applications for the Freedom referred to the Committee by the Court of Common Council.

#### **BARBICAN RESIDENTIAL COMMITTEE**

1. **Constitution**  
A Non-Ward Committee consisting of,  
11 Members who are non-residents of the Barbican Estate elected by the Court of Common Council, at least one of whom shall have fewer than five years' service on the Court at the time of their appointment  
three Members nominated by each of the following Wards:-  
Aldersgate  
Cripplegate Within  
Cripplegate Without  
the Chairman or Deputy Chairman of the Community & Children's Services Committee (ex-officio)  
  
The Chairman and Deputy Chairman of the Committee shall be elected from the Members who are non-residents of the Barbican Estate.
2. **Quorum**  
The quorum consists of any four Members who are non-residents of the Barbican Estate.
3. **Membership 2014/15**



## Non-Residents:-

- 4 (4) William Harry Dove, M.B.E., J.P., Deputy
- 3 (2) Jeremy Paul Mayhew, M.A., M.B.A., *for two years*
- 6 (4) Gareth Wynford Moore
- 6 (3) Michael Hudson
- 2 (2) Graham David Packham, *for three years*
- 2 (2) Philip John Woodhouse, *for three years*
- 2 (2) Alex Bain-Stewart M.Sc., J.P.
- 2 (2) Christopher Paul Boden

## Residents:-

Nominations by the Wards of Aldersgate and Cripplegate (Within and Without), each for the appointment of three Members

**Aldersgate**

Randall Keith Anderson  
John Stuart Penton Lumley, Professor  
Joyce Carruthers Nash, O.B.E., Deputy

**Cripplegate (Within)**

David John Bradshaw  
Vivienne Littlechild  
Angela Starling

**Cripplegate (Without)**

John Tomlinson, B.A., M.Sc., Deputy  
Stephen Douglas Quilter, B.Sc.(Hons.)  
Chris Punter

together with the ex-officio Members referred to in paragraph 1 above and three Members to be appointed this day.

4. **Terms of Reference**

To be responsible for:-

- (a) the management of all completed residential premises and ancillary accommodation on the Barbican Estate, eg. the commercial premises, launderette, car parks, baggage stores, etc. (and, in fulfilling those purposes, to have regard to any representations made to it by the Barbican Estate Residents' Consultation Committee);
- (b) the disposal of interests in the Barbican Estate pursuant to such policies as are from time to time laid down by the Court of Common Council.

**BARBICAN CENTRE BOARD**1. **Constitution**

A Non-Ward Committee consisting of, eight Members elected by the Court of Common Council for three year terms, at least one of whom shall have fewer than five years' service on the Court at the time of their appointment.  
five non-Common Council representatives appointed by the Committee, of which at least two should be drawn from the arts world  
a representative of the Policy & Resources Committee  
a representative of the Finance Committee  
the Chairman of the Board of Governors of the Guildhall School of Music & Drama (ex-officio)  
the Chairman of the Barbican Centre Trust (ex-officio)  
the Chairman of the Culture, Heritage & Libraries Committee (ex-officio)

The Chairman of the Board shall be elected from the City Corporation Members.

There is a maximum continuous service limit of three terms of three years.

2. **Quorum**

The quorum consists of any five Members elected by the Court of Common Council.

3. **Membership 2014/15**

- 7 (3) Catherine McGuinness, M.A., Deputy
- 3 (3) Richard David Regan, Deputy
- 3 (3) Jeremy Lewis Simons M.Sc.
- 9 (2) Jeremy Paul Mayhew, M.A., M.B.A.
- 4 (2) John Tomlinson, B.A., M.Sc., Deputy

together with:-

|                    |   |
|--------------------|---|
| Roly Keating       | ) |
| Sir Brian McMaster | ) |
| Guy Nicholson      | ) |
| Keith Salway       | ) |
| Trevor Phillips    | ) |

Up to five non-Common Council Members appointed by the Committee

together with the ex-officio Members referred to in paragraph 1 above and three Members to be appointed this day.

#### 4. **Terms of Reference**

To be responsible for:-

- (a) the strategic direction, management, operation and maintenance of the Barbican Centre, having determined the general principles and financial targets within which the Centre will operate;
- (b) the appointment of the Managing Director of the Barbican Centre;
- (c) the Centre's contribution to the City of London Corporation's key policy priority, 'Increasing the impact of the City's cultural and heritage offer on the life of London and the nation', viz: -
  - i) the provision of world-class arts and learning by the Centre for the education, enlightenment and entertainment of all who visit it; and
  - ii) the provision of access to arts and learning beyond the Centre;
- (d) the creation of enterprise and income-generating support for the Centre.

### THE CITY BRIDGE TRUST COMMITTEE

#### 1. **Constitution**

A Non-Ward Committee consisting of,  
two Aldermen nominated by the Court of Aldermen  
12 Members elected by the Court of Common Council, at least one of whom shall have fewer than five years' service on the Court at the time of their appointment  
the Right Honourable the Lord Mayor (ex-officio)

#### 2. **Quorum**

The quorum consists of any five Members.

#### 3. **Membership 2014/15**

##### ALDERMEN

- 3 Alison Jane Gowman
- 2 Matthew Richardson

##### COMMONERS

- 8 (4) Kenneth Edwin Ayers, M.B.E., Deputy
- 2 (2) Marianne Bernadette Fredericks, *for two years*
- 4 (4) Jeremy Paul Mayhew, M.A., M.B.A.
- 2 (2) Stanley Ginsburg J.P., Deputy, *for three years*
- 11 (3) William Harry Dove, M.B.E., J.P., Deputy
- 3 (3) Ian Christopher Norman Seaton
- 2 (2) Stuart John Fraser, C.B.E.
- 4 (2) Vivienne Littlechild J.P.
- 4 (2) Charles Edward Lord, O.B.E., J.P.

together with the ex-officio Member referred to in paragraph 1 above and three Members to be appointed this day.

4. **Terms of Reference**

- (a) To determine all applications for grants pursuant to the Cy Pres Scheme for the administration of the Charity known as Bridge House Estates, made by the Charity Commissioners on 9 February 1995 and brought into effect by the Charity (The Bridge House Estates) Order 1995, as respects the following purposes:-
- (i) in or towards the provision of transport and access to it for elderly or disabled people in the Greater London area;
  - (ii) for other charitable purposes for the general benefit of the inhabitants of Greater London; other than grants above a sum of £500,000.
- (b) Subject to the terms of the Cy Pres Scheme and criteria as to the eligibility and treatment of applications specified from time to time by the Court of Common Council:-
- (i) to review the criteria referred to above and to make recommendations to the Court of Common Council for changes thereto;
  - (ii) to determine conditions and other requirements to be imposed in connection with grants that are approved;
  - (iii) in considering the application of surplus income in accordance with clause 2 of the said Scheme, the Trustee shall consult with such person, bodies corporate, local authorities, government departments and agencies, charitable and voluntary organisations and other bodies as the Trustee may think appropriate from time to time; and,
  - (iv) to review, as necessary, the amounts, nature and spread of grants approved or refused, and the operational administrative arrangements for the Scheme.
- c) To be involved in the process for the appointment of the Chief Grants Officer, as appropriate.

**STANDARDS COMMITTEE**

1. **Constitution**

A Non-Ward Committee consisting of,  
 one Alderman appointed by the Court of Aldermen  
 seven Members elected by the Court of Common Council, at least one of whom shall have fewer than five years' service on the Court at the time of their appointment  
 four representatives (with no voting rights) who must not be Members of the Court of Common Council or employees of the City of London Corporation

None of the appointed shall serve on the Committee for more than two terms, a maximum of eight years in total.

*N.B. Three independent persons are also appointed pursuant to the Localism Act 2011.*

2. **Quorum**

The quorum consists of three Members, at least one of whom must be a non-Common Council Member.

3. **Membership 2014/15**

ALDERMAN  
 2 Julian Malins

COMMONERS  
 2 (2) Charles Edward Lord, O.B.E., J.P., *for two years*  
 2 (2) Nigel Kenneth Challis, *for three years*  
 2 (2) Oliver Arthur Wynlayne Lodge, T.D, B.Sc.

together with four non-Common Council Members:-

Judith Barnes (*appointed for a four year term expiring in December 2017*)  
 Felicity Lusk (*appointed for a four year term expiring in December 2017*)  
 Two vacancies

together with four Members to be appointed this day.

4. **Terms of Reference**

To be responsible for:-

- (a) promoting and maintaining high standards of conduct by Members and Co-opted Members of the City of London Corporation and to assist Members and Co-opted Members to observe the City of London Corporation's Code of Conduct;
- (b) preparing, keeping under review and monitoring the City of London Corporation's Member Code of Conduct and making recommendations to the Court of Common Council in respect of the adoption or revision, as appropriate, of such Code of Conduct;
- (c) keeping under review by way of an annual update by the Director of HR, the City of London Corporation's Employee Code of Conduct;

- (d) keeping under review and monitoring the Protocol on Member/Officer Relations;
- (e) advising and training Members and Co-opted Members on matters relating to the City of London Corporation's Code of Conduct;
- (f) dealing with any allegations of breach of the City of London Corporation's Code of Conduct in respect of Members and Co-opted Members, and in particular:
  - to determine whether any allegation should be investigated by or on behalf of the Town Clerk or the Monitoring Officer and their findings reported to the Committee;
  - in relation to any allegation that it has decided to investigate, to determine whether there has been a breach of the Code of Conduct, taking into account the views of an Independent Person appointed under the Localism Act 2011;
  - where there has been a breach of the Code of Conduct, to determine the appropriate sanction, and where this involves removal of a Member or Co-opted Member from any committee or sub-committee, to make an appropriate recommendation to the relevant appointing body;
  - to determine any appeal from a Member or Co-opted Member in relation to a finding that they have breached the Code of Conduct and/or in relation to the sanction imposed; and
- (g) monitoring all complaints referred to it and to prepare an annual report on its activity for submission to the Court of Common Council.

#### LICENSING COMMITTEE

1. **Constitution**  
A Non-Ward Committee consisting of 15 Members elected by the Court of Common Council, at least one of whom shall have fewer than five years' service on the Court at the time of their appointment.
2. **Quorum**  
The quorum consists of any five Members.
3. **Membership 2014/15**
  - 10 (4) Alex Bain-Stewart M.Sc., J.P.
  - 12 (4) Kevin Malcolm Everett, D.Sc.
  - 4 (4) Sophie Anne Fernandes
  - 4 (4) James Richard Tumbridge
  - 10 (2) John Alfred Barker, O.B.E., Deputy, *for three years*
  - 11 (3) The Revd. Dr. Martin Dudley
  - 6 (3) Marianne Bernadette Fredericks
  - 4 (2) Peter Gerard Dunphy
  - 2 (2) Jamie Ingham Clark
  - 12 (2) Charles Edward Lord, O.B.E., J.P.
  - 12 (2) Chris Punter

Together with four Members to be appointed this day.
4. **Terms of Reference**
  - To be responsible for:-
  - (a) the City of London Corporation's licensing functions under the following legislation:-

Licensing Act 2003:-

(ii) Gambling Act 2005:-

(iii) Local Government (Miscellaneous Provisions) Act 1982, as amended by the Policing and Crime Act 2009:-

- (a) the licensing of sexual entertainment venues
  - (b) action to prohibit the consumption of alcohol in designated public places as detailed in sections 12-16 of the Criminal Justice and Police Act 2001 and the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001
  - (c) the implementation of those sections of any Acts of Parliament and/or European Legislation which direct that the local authority take action in respect of those duties listed at (a) above, including the functions contained in Sections 2(1) and 2(2) of the Hypnotism Act 1952
  - (d) determining which of its functions and responsibilities may be delegated to enable the Director of Markets and Consumer Protection to act on its behalf.
- (b) The appointment of the Director of Markets and Consumer Protection (in consultation with the Port Health and Environmental Services Committee and the Markets Committee);
- (c) Making recommendations to the Court of Common Council regarding:-  
the City Corporation's Statement of Licensing Policy; and  
The Statement of Licensing Principles in respect of the Gambling Act 2005.

#### **GUILDHALL IMPROVEMENT COMMITTEE**

1. A Non-Ward Committee consisting of,  
the Chairman and a Deputy Chairman of the Policy & Resources Committee  
the Chairman and Deputy Chairman of the Finance Committee  
the Chairman of the Planning & Transportation Committee or his/her representative  
a representative of the Corporate Asset Sub-Committee  
Sir Michael Snyder, Deputy
2. **Quorum**  
The quorum consists of any three Members.
3. **Membership 2014/15**  
The ex-officio Members referred to in paragraph 1 above, together with Deputy Sir Michael Snyder.
4. **Terms of Reference**  
In respect of the project to refurbish the North Wing, West Wing, Old Library, Old Museum and Justice Rooms of the Guildhall Complex, to be responsible for:-
  - (i) overall direction;
  - (ii) review of progress;
  - (iii) decisions on significant option development and key policy choices.

#### **HEALTH & WELLBEING BOARD**

##### **Constitution**

A Non-Ward Committee consisting of,

three Members elected by the Court of Common Council (who shall not be members of the Health and Social Care Scrutiny Sub-Committee)

the Chairman of the Policy and Resources Committee (or his/her representative)  
the Chairman of Community and Children's Services Committee (or his/her representative)  
the Chairman of the Port Health & Environmental Services Committee (or his/her representative)  
the Director of Public Health or his/her representative  
the Director of the Community and Children's Services Department  
a representative of Healthwatch appointed by that agency  
a representative of the Clinical Commissioning Group (CCG) appointed by that agency  
a representative of the SaferCity Partnership Steering Group  
the Environmental Health and Public Protection Director  
a representative of the City of London Police appointed by the Commissioner

##### **Quorum**

The quorum consists of five Members, at least three of whom must be Members of the Common Council or officers representing the City of London Corporation.

3. **Membership 2014/15**

- 2 (2) Gareth Wynford Moore, *for two years*
- 2 (2) Vivienne Littlechild J.P., *for three years*
- 2 (2) Joyce Carruthers Nash, O.B.E., Deputy

Together with the Members referred to in paragraph 1.

**Co-opted Members**

The Board may appoint up to two co-opted non-City Corporation representatives with experience relevant to the work of the Health and Wellbeing Board.

4. **Terms of Reference**

To be responsible for:-

- a) carrying out all duties conferred by the Health and Social Care Act 2012 ("the HSCA 2012") on a Health and Wellbeing Board for the City of London area, among which:-
  - i) to provide collective leadership for the general advancement of the health and wellbeing of the people within the City of London by promoting the integration of health and social care services; and
  - ii) to identify key priorities for health and local government commissioning, including the preparation of the Joint Strategic Needs Assessment and the production of a Joint Health and Wellbeing Strategy.

All of these duties should be carried out in accordance with the provisions of the HSCA 2012 concerning the requirement to consult the public and to have regard to guidance issued by the Secretary of State;

- b) mobilising, co-ordinating and sharing resources needed for the discharge of its statutory functions, from its membership and from others which may be bound by its decisions; and
- c) appointing such sub-committees as are considered necessary for the better performance of its duties.

5. **Substitutes for Statutory Members**

Other Statutory Members of the Board (other than Members of the Court of Common Council) may nominate a single named individual who will substitute for them and have the authority to make decisions in the event that they are unable to attend a meeting.

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

(Unless otherwise stated the requirement for certain Committees to have a Member with less than five years' service on the Court, at the time of their appointment, is fulfilled by the existing membership).

Nominations received for vacancies of varying terms:-

Where appropriate:-

\* denotes a Member standing for re-appointment; and

# denotes less than five years' service on the Court.

< denotes less than ten years' service on the Court.

**a) Policy and Resources Committee** (five vacancies).

One vacancy must be filled by a Member with less than ten years' service on the Court.

(Contest)

Nominations received:-

< Randall Keith Anderson

<\* John Alfred Bennett, Deputy

< Henry Nicholas Almroth Colthurst

< Wendy Marilyn Hyde

\* Jeremy Paul Mayhew

\* Wendy Mead  
<\* Hugh Fenton Morris  
John George Stewart Scott, J.P.  
Jeremy Lewis Simons  
< Thomas Charles Christopher Sleigh  
<\* James Richard Tumbridge

*Read.*

**b) Hospitality Working Party of the Policy and Resources Committee**

(one vacancy).

(Contest)

Nominations received:-

Kenneth Edwin Ayers, M.B.E., Deputy  
George Marr Flemington Gillon  
\* Richard David Regan, Deputy

*Read.*

**c) Privileges Sub, Policy and Resources Committee** (three vacancies).

(Contest)

Nominations received:-

\* William Harry Dove, M.B.E., J.P., Deputy  
George Marr Flemington Gillon  
Charles Edward Lord, O.B.E., J.P.  
\* Richard David Regan, 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 the 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.

**d) Investment Committee** (three vacancies).

(No contest)

Nominations received:-

\* Michael John Cassidy, C.B.E., Deputy  
John Douglas Chapman, Deputy  
\* Ian Christopher Norman Seaton

*Read.*

Whereupon the Lord Mayor declared Deputy Michael Cassidy, Deputy John Chapman and Ian Seaton to be appointed on the Investment Committee for terms expiring in April 2018.

**e) Social Investment Board** (two vacancies).

One vacancy must be filled by a Member with less than five years' service on the Court.

(Contest)

Nominations received:-

# Nicholas Bensted-Smith

\* The Revd. Dr. Martin Dudley

# Ann Holmes

# Wendy Marilyn Hyde

*Read.*

**f) Audit and Risk Management Committee** (three vacancies).

(Contest)

Nominations received:-

Randall Keith Anderson

Nicholas Bensted-Smith

Christopher Paul Boden

\* The Revd. Dr. Martin Dudley

\* Ian David Luder, Alderman

Graeme Martyn Smith

*Read.*

**g) Police Committee** (three vacancies).

One vacancy must be filled by a Member with less than five years' service on the Court.

(Contest)

Nominations received:-

# Nicholas Bensted-Smith

# Lucy Roseanne Frew

\* Stanley Keith Knowles, Deputy

# James Michael Douglas Thomson, Deputy

\* Richard David Regan, 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 the 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.

**h) Board of Governors of the City of London School** (three vacancies).

(No contest)

Nominations received:-



- \* The Revd. Stephen Decatur Haines, M.A, Deputy
- \* Ian Christopher Norman Seaton
- \* James Michael Douglas Thomson, Deputy

*Read.*

Whereupon the Lord Mayor declared Deputy The Revd. Stephen Haines, Ian Seaton and Deputy James Thomson to be appointed on the Board of Governors of the City of London School for terms expiring at the end of July 2018.

**i) Board of Governors of the City of London School for Girls** (three vacancies).

(No contest)

Nominations received:-

- \* Nigel Kenneth Challis

Ann Holmes

*(One full term vacancy remains)*

*Read.*

Whereupon the Lord Mayor declared Nigel Challis and Ann Holmes to be appointed on the Board of Governors of the City of London Girls School for terms expiring at the end of July 2018.

**j) Board of Governors of the City of London Freeman's School** (four vacancies).

(No contest)

Nominations received:-

- \* Brian Nicholas Harris

\* Elizabeth Rogula

- \* Philip John Woodhouse

*(One vacancy for the balance of a term expiring in July 2016 remains)*

*Read.*

Whereupon the Lord Mayor declared Brian Harris, Elizabeth Rogula and Philip Woodhouse to be appointed on the Board of Governors of the City of London Freeman's School for terms expiring at the end of July 2018.

**k) Board of Governors of the Guildhall School of Music & Drama** (two vacancies).

(Contest)

Nominations received:-

- \* John Douglas Chapman, Deputy

Lucy Roseanne Frew

Ann Holmes

William Russell, Alderman

*Read.*

**l) Gresham Committee (City Side)** (two vacancies).

(Contest)

Nominations received:-

Kenneth Edwin Ayers, M.B.E., Deputy

\* Wendy Mead

\* John Richard Owen-Ward, M.B.E., Deputy

John George Stewart Scott, J.P.

*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 the 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.

**m) Establishment Committee** (four vacancies).

(No contest)

Nominations received:-

\* Kevin Malcolm Everett

\* The Revd. Stephen Decatur Haines, M.A, Deputy

Charles Edward Lord, O.B.E., J.P.

\* Dhruv Patel

*Read.*

Whereupon the Lord Mayor declared Kevin Everett, Deputy The Revd. Stephen Haines, Edward Lord and Dhruv Patel be appointed on the Establishment Committee for terms expiring in April 2018.

**n) Open Spaces, City Gardens and West Ham Park Committees** (two vacancies on each Committee).

(No contest)

Nominations received:-

\* Ian David Luder, Alderman

\* Graeme Martyn Smith

*Read.*

Whereupon the Lord Mayor declared Alderman Ian Luder and Graeme Smith to be appointed on the Open Spaces, City Gardens and West Ham Park Committees for terms expiring in April 2018.

**o) Epping Forest & Commons Committee** (two vacancies).

(No contest)

Nominations received:-

- \* Sylvia Doreen Moys
- \* Barbara Patricia Newman, C.B.E.

*Read.*

Whereupon the Lord Mayor declared Sylvia Moys and Barbara Newman to be appointed on the Epping Forest & Commons Committee for terms expiring in April 2018.

**p) Hampstead Heath, Highgate Wood & Queen's Park Committee** (three vacancies).

(No contest)

Nominations received:-

- \* Karina Helen Dostalova
- \* Ann Holmes
- Charles Edward Lord, O.B.E., J.P.

*Read.*

Whereupon the Lord Mayor declared Karina Dostalova, Ann Holmes and Edward Lord be appointed on the Hampstead Heath, Highgate Wood & Queen's Park Committee for terms expiring in April 2018.

**q) Barbican Residential Committee, in the category of non-resident** (three vacancies).

(No contest)

Nominations received:-

- \* Stanley Ginsburg J.P., Deputy
- \* Ann Holmes
- \* Henrika Johanna Sofia Priest

*Read.*

Whereupon the Lord Mayor declared Deputy Stanley Ginsburg, Ann Holmes and Henrika Priest to be appointed on the Barbican Residential Committee for terms expiring in April 2018.

**r) Barbican Centre Board** (three vacancies).

One vacancy must be filled by a Member with less than five years' service on the Court.

(Contest)

Nominations received:-

- # Randall Keith Anderson
- # Lucy Roseanne Frew
- \* Tom Hoffman
- \* Vivienne Littlechild, J.P.
- # Judith Lindsay Pleasance

# Adam Fox McCloud Richardson  
# William Russell, Alderman  
John George Stewart Scott, J.P.  
\* Dr Giles Robert Evelyn Shilson, Deputy

*Read.*

**s) The City Bridge Trust Committee** (three vacancies).  
(Contest)

Nominations received:-

\* Simon D'Olier Duckworth, D.L.  
\* The Revd. Stephen Decatur Haines, M.A, Deputy  
Andrew Stratton McMurtrie  
\* Wendy Mead

*Read.*

**t) Standards Committee** (four vacancies).  
(Contest)

Nominations received:-

Nicholas Bensted-Smith  
Michael Hudson  
Alastair John Naisbitt King, M.Sc., Deputy  
Virginia Rounding  
Thomas Charles Christopher Sleigh

*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 the 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.

**u) Licensing Committee** (four vacancies).  
(No contest)

Nominations received:-

Christopher Michael Hayward  
\* Michael Hudson  
\* Graham David Packham  
\* Judith Lindsay Pleasance

Whereupon the Lord Mayor declared Christopher Hayward, Michael Hudson, Graham Packham and Judith Pleasance to be appointed on the Barbican Residential Committee for terms expiring in April 2018.

Appointment of  
Ward  
Committees

To appoint vacancies on Ward Committees (where not all places on Ward Committees are filled by Wards, vacancies can be filled by Members of the Court) viz: -

**a) Finance Committee** (one vacancy).  
(Contest)

Nominations received:-  
John Douglas Chapman, Deputy  
Ann Holmes  
Adam Fox McCloud Richardson

*Read.*

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

**b) Port Health and Environmental Services Committee** (one vacancy).  
(Contest)

Nominations received:-  
Nigel Kenneth Challis  
Dennis Cotgrove, B.A.  
Ann Holmes  
Wendy Marilyn Hyde

*Read.*

Dennis Cotgrove sought, and was granted, leave to withdraw from the ballot.

**c) Community and Children's Services Committee** (eight vacancies).  
(Contest)

Nominations received:-  
Sir Michael David Bear, Alderman  
Revd. William Campbell-Taylor  
Karina Helen Dostalova  
John Stuart Penton Lumley, Professor  
Vivienne Littlechild, J.P.  
Barbara Patricia Newman, C.B.E.  
Chris Punter  
Delis Regis  
Philip John Woodhouse

*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 the 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

1) **Alderman Alison Gowman** asked a question of the **Chairman of the Policy and Resources Committee** enquiring about the steps to be taken in responding to the findings of the Environmental Audit Select Committee following their enquiry into Green Finance.

In reply, the **Chairman** explained that the report launched by the Select Committee, broadly supported the City Corporation's views on "green finance", in that, responding to climate change would be a big challenge. Also, investors would need to take the issue into account when making long term decisions and significant barriers would still need to be overcome, particularly with respect to infrastructure investment, in order to assist the transition to a low carbon economy and climate change resilience.

He detailed the measures which the City Corporation continued to support and to deliver and added that further ways of responding to the findings were being looked at. In concluding he stated that he had asked relevant officers to keep the Honourable Member informed.

2) **Hugh Morris** asked the **Chairman of the Planning and Transportation Committee** for an update on the proposed 20mph speed limit in the City.

In reply, the **Chairman** informed Members that his Committee considered the public consultation on the proposal on the 8<sup>th</sup> April 2014 and they noted the receipt of 41 responses; made up of 12 objections and 29 messages of support. Three general themes had arisen from the objections namely the impact on motor vehicle journey times and the economic value of this; a preference for other methods to be used to achieve the traffic casualty reductions that the City wishes to achieve; and the coverage of the 20mph limit, both the geographical area and time of day.

He reminded Members that the themes raised by objectors had already been considered in detail in previous reports and as part of the discussions in Committee and by the Court in 2013. He added that the Planning and Transportation Committee concurred with the officers' view that the project's benefits outweighed the objections raised during the consultation and consequently, the 20mph traffic order was agreed for implementation on Sunday the 20<sup>th</sup> July. He reported that Transport for London would begin their 20mph experimental order on the same day.

In response to a supplementary question from **Hugh Morris**, the **Chairman** explained that, a 30mph limit would remain for the time being in Upper and Lower Thames Street pending the implementation of the Cycle Superhighway. It was further noted that these routes were managed by TfL.

In response to a further supplementary question from **Alderman Alison Gowman**, the **Chairman** referred to a Road Safety campaign which was being held during the month of May which would focus on vulnerable road user groups and HGV drivers. He added that the first week would focus on cyclists and car users which would

culminate on 9<sup>th</sup> May with a road show in Guildhall Yard. He also referred to the 20mph speed limit which was in force in neighbouring boroughs.

3) **Reverend William Campbell-Taylor** asked a question of the **Chairman of Policy & Resources Committee** concerning the legal requirements that fall upon businesses in the City when it comes to making voter appointments.

In reply, the **Chairman** stated that there was no legal requirement for businesses to appoint voters, it was an entitlement. He explained however that where an entitlement to appoint more than one voter was exercised then there was a legal requirement that the appointments made must, as far as practicable, reflect the composition of the workforce. He added that the relevant Act put the onus on the business to undertake this requirement although the City Corporation accepted a responsibility to encourage and help businesses to fulfil their obligations and he detailed the steps taken by the Public Relations Office to promote this requirement. He stated that he had some sympathy with the view that there was more to do on this matter and work would therefore continue in this regard although Honourable Members could play their part through the contact they regularly had with City businesses.

Motions

There were no motions.

Awards and Prizes

### **Barbican Music Library - Award**

Report of the Chairman of the Culture, Heritage and Libraries Committee.

"I am delighted to announce that the City Corporation's Barbican Music Library has been awarded the Excellence award by The International Association of Music Libraries, Archives and Documentation Centres (IAML).

The IAML Excellence Award for Music Libraries is open to all music libraries in the UK and Ireland, no matter what their sector, size or type. The Award is presented every two years, and focuses on outstanding music services to the Library's user community. The basis of the Award is to demonstrate sustained good work and good practice which has the potential to be adopted and adapted by others and may also include the serious development of a service and innovation of obviously lasting value.

The Library's submission spoke of the exciting range of exhibitions that the Music Library has provided in partnership with others: for example, in the past year, the highly successful exhibition programme has included a celebration of the centenary of Sir Georg Solti in partnership with The Solti Foundation, and Rock Family Trees in partnership with the author, Pete Frame.

As evidence of innovation, the submission detailed the annual People's Pianos programme. This project sees pupils from the Guildhall School of Music and Drama giving one to one piano lessons to residents aged over 60 using the digital pianos in the Barbican Music Library. As well as improving relationships between the

participating generations, providing social opportunities for local residents, and enhancing the pupils' appreciation of music, the project aims to make local people feel at home in the Barbican Centre and improve their sense of cultural community identity, whilst also supporting education (teaching experience is an essential requirement for undergraduates). Successful applicants must also be able to demonstrate excellence in terms of stock, staff knowledge and leadership, partnership working and engagement with users and potential users.

The achievement of this Award is a great tribute to the dedication and hard work of all the staff in the Barbican Music Library.

I commend these achievements to the Court.”

Read.

*Received.*

## **POLICY AND RESOURCES COMMITTEE (Mark John Boleat)**

### **A) Creation of an Education Board**

In October 2013 the Court of Common Council approved an Education Strategy. Contained within that strategy was a proposal for the establishment of an overarching education body. It is now proposed that an Education Board be established as a grand committee of the Court of Common Council and we submit a separately printed and circulated report thereon for your approval.

The proposed Board will review and have oversight of the City Corporation's education-related activities and oversee the implementation of the Education Strategy. It will be responsible for reviewing the strategy and making recommendations to Committees and the Court as appropriate on the delivery of the City Corporation's vision and strategic objectives in this area. The Board will have responsibility for distributing funds allocated to it for educational purposes. It will also be responsible for the City academy schools and the City Corporation's role as a school sponsor. The membership of the Board will be drawn from the Court and makes provision for the appointment of external representatives.

*Read.*

*Motion* – “That an additional recommendation f) be added in the following terms ‘f) for the avoidance of doubt the right of the Court of Common Council to appoint Governors to the Boards of the City of London School, the City of London School for Girls and the City of London Freeman's School should not be affected in any way’ and that the third and fourth bullet points of paragraph 9, at the top of the fourth page of the report be amended to read as follows:-

- To be responsible for the oversight and monitoring of the City of London's sponsorship of its Academies, including *recommending to the Court of Common Council* the appointment of governors.



- To *recommend to the Court of Common Council candidates for appointment of the City of London Corporation's representative on school governing bodies where nomination rights are granted and which do not fall within the remit of any other committee.*"

On a show of hands, the Lord Mayor declared the Motion to be carried.

*Resolved* - That the report, as amended, be agreed to.

### **B) Scheme of Delegations, Standing Orders and the Project Procedure**

We have considered a number of facets relating to the City Corporation's corporate governance, namely, a review of the Scheme of Delegation, a proposed change to Standing Orders and changes to the Project Procedure.

The Scheme of Delegation has not been subject to a comprehensive review for a number of years and modifications are now proposed. The review reflects legislative changes that have occurred over the years and changes to the City Corporation's policies which were not previously incorporated.

The drive for efficiency savings including the Corporate Asset Realisation Programme and, more recently, Service Based Reviews have highlighted the need for the City Corporation to be effective in identifying those assets which are surplus to requirements. To assist this, a change is proposed to Standing Orders formalising the process for identifying assets as surplus.

The Project Procedure was approved by the Court of Common Council in November 2011. It has now been reviewed and a number of alterations are proposed to bring the Procedure up to date.

A printed and circulated report covering the matters referred to is now submitted for your consideration.

*Read and agreed to.*

### **(C) Filming and Recording of Public Meetings**

We have considered proposals for the adoption of a Protocol on visual and audio recording of the City Corporation's public meetings. The Protocol has been developed to further assist the organisation in its transparency. It acknowledges the clear direction of travel of Government policy on the issue of recording public meetings, the potential for such activity to disrupt the conduct of meetings and sets out the parameters and requirements of those intending to record meetings.

A printed and circulated report has therefore been submitted for your consideration and we commend its proposal to adopt a Protocol for the filming and recording of public meetings.

*Read and agreed to.*

The Chairman undertook to ensure that this protocol would be reviewed following its operation for one year and any necessary amendments would be submitted to the Court for approval.

## **HOSPITALITY WORKING PARTY (George Marr Flemington Gillon, Chief Commoner)**

### **A) Applications for the use of Guildhall**

18 March 2014

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>     |
|--|------------------------------|---------------------|
| <i>Sky (to host the 'Game of Thrones' Press Launch Screening)</i>  | <i>Tuesday 25 March 2014</i> | <i>Press Launch</i> |
| EuroWeek (weekly financial newspaper)  | Wednesday 21 May 2014        | Dinner              |
| Lord Mayor's Appeal 2014 (to host the affinity Conference: Talent Rising)                                    | Monday 7 July 2014           | Conference          |
| Centre for Policy Studies (40 <sup>th</sup> anniversary conference)  | Wednesday 18 June 2014       | Conference          |
| Department of Health (conference on dementia)  | Thursday 19 June 2014        | Conference          |
| Aspen (global insurance and reinsurance company)   | Thursday 10 July 2014        | Dinner              |
| London School of Economics (TRIUM Class of 2014 Graduation Ceremony)   | Saturday 6 September 2014    | Graduation          |
| Standard Chartered Bank Pensioners' Association  | Friday 24 October 2014       | Lunch               |
| Lessons for Life Foundation (charity to improve prospects for orphaned children in sub-Saharan Africa)       | Thursday 13 November 2014    | Dinner              |
| London Councils Summit (for all local Councillors, officers and Borough leaders in London)                   | Saturday 22 November 2014    | Conference          |
| Emunah (annual diner for one of Israel's leading providers of family welfare centres)                        | Tuesday 2 December 2014      | Dinner              |
| Eventful Limited (dinner for two companies specialising in oil and gas and in seismic services and reservoir | Saturday 6 December 2014     | Dinner              |

management)

|   |                         |                 |
|---|-------------------------|-----------------|
| The Chopin Society UK<br>(concert and Gala Dinner)  | Monday 15 December 2014 | Dinner          |
| Wine & Spirit Education Trust<br>(annual awards and graduation ceremony)                                      | Monday 26 January 2015  | Awards Ceremony |
| American Bar Association<br>(reception to coincide with the 800 <sup>th</sup> anniversary of the Magna Carta) | Friday 12 June 2015     | Reception       |

*Received.*

**(B) Centenary of the First World War: Lecture on ‘London - From Peace to War’**

It is proposed that the City of London Corporation hosts a lecture by Professor Jeremy Black followed by a reception and private dinner at Guildhall on 21 July 2014 as part of a wider programme of commemorative events planned to mark the centenary of the First World War.

Professor Jeremy Black is Professor of History at the University of Exeter and has a particular interest in military and diplomatic history. In April 2008 the Society of Military History recognised Professor Black's work, presenting him with the Samuel Eliot Morison Prize for lifetime achievement. The theme of Professor Black's lecture will be "London – From Peace to War", focusing on the impact on London of the outbreak of World War I. The event would form part of the City Corporation's contribution to a nationwide programme of events marking the centenary of the First World War, and would coincide with a major exhibition on a similar theme, planned by the London Metropolitan Archives. The exhibition, called "Emergency! 1914", is to run from May to September 2014.

The guest list would include academics, historians, representatives from Livery Companies, the City's Privileged Regiments, the Museum of London and Imperial War Museum, London Metropolitan Archives, London Borough Mayors, Parliamentarians, City of London civic organisations, students from the City Academies and schools, and Members with relevant interests.

We **recommend** that hospitality be granted and that arrangements be left in the hands of the Culture, Heritage and Libraries Committee; the cost to be met from City's Cash, within the approved cost parameters.

(This will be a Committee event.)

*Read and agreed to.*

**(C) Commonwealth Serjeant at Arms 600<sup>th</sup> Anniversary Conference**

It is proposed that the City of London Corporation hosts a dinner at Guildhall on 28 July 2015 at the conclusion of the first day of the Association of Commonwealth Serjeants at Arms conference.

The conference, which will take place at the House of Commons, is held in London every five years. Delegates from over 40 Commonwealth countries will attend. The City previously hosted a dinner to coincide with the 2009 conference.

The purpose of the conference is to bring together Serjeants at Arms and Gentlemen Ushers of the Black Rod from across the Commonwealth to discuss aspects of their role. The 2015 conference will coincide with the 600<sup>th</sup> anniversary of the first appointment of a Serjeant at Arms to provide security at the House of Commons. The City hosted dinner will help to strengthen the City's relationship with Parliament and the House Authorities and with Commonwealth Parliaments.

It is anticipated that the guest list will be drawn predominantly from representatives attending the conference and bodies connected to Parliament. MPs and Peers representing the Commonwealth Parliamentary Association in the UK and representatives of similar associations from the Commonwealth Jurisdictions will also attend.

We **recommend** that hospitality be granted and that arrangements be left in the hands of the Hospitality Working Party; the cost to be met from City's Cash, within the approved cost parameters.

(This will be a Committee event.)

*Read and agreed to.*

**(D) Reception to mark the 200<sup>th</sup> Anniversary of the Battle of Waterloo.**

It is proposed that the City of London Corporation hosts a lunchtime reception at Guildhall following the National Service of Remembrance at St Paul's Cathedral on 18<sup>th</sup> June 2015, which marks the 200<sup>th</sup> Anniversary of the Battle of Waterloo.

The Battle of Waterloo was the culmination of a long campaign ending over 20 years of conflict in Europe and heralding 50 years of peace and stability.

Arrangements at St Paul's Cathedral for the 200<sup>th</sup> anniversary are in the hands of Waterloo 200, an official commemorative committee established in 2005 to deliver a fitting commemoration of the battle and its legacy.

The guest list is expected to include a senior member of the Royal Family, Royal Regiments, Armed Forces personnel, and associated diplomats, political, city and business representatives. The Court of Common Council, which was original scheduled to take place on this date, was moved some time ago to 25 June 2015 to allow Members to attend this event.

We **recommend** that hospitality be granted and that arrangements be left in the hands of the Hospitality Working Party; the cost to be met from City's Cash, within the approved cost parameters.

(This will be a Full Court event.)

*Read and agreed to.*

## **(E) Report of action taken under urgency procedures**

### **i) British-American Parliamentary Group Dinner**

On 21<sup>st</sup> March the British-American Parliamentary Group's (BAPG) Annual Parliamentary/Congressional Conference was held in London and we report, for information, action taken as a matter of urgency, pursuant to Standing Order No.19, in approving arrangements for the City of London Corporation to host a dinner for 80 guests in the Crypts. This decision was taken under urgency as the BAPG needed to confirm arrangements with the delegates and likely invitees prior to the next scheduled Court of Common Council meeting.

The event provided an opportunity for the City of London Corporation to strengthen contacts between the City and both British and American politicians.

The arrangements for the BAPG dinner were made under the auspices of the Public Relations and Economic Development Sub Committee with the cost being met from City's Cash and within the approved cost parameters.

This was a Committee event.

### **ii) Prime Minister of Italy**

The City of London Corporation was approached by the Italian Embassy to host a speech by the then Prime Minister of Italy Mr Enrico Letta on 24<sup>th</sup> February 2014 and we report, for information, action taken as a matter of urgency, pursuant to Standing Order No.19, in approving arrangements for the City of London Corporation to host an early evening reception and dinner in the Old Library and Art Gallery. This decision was taken using urgency procedures as the event preceded the next Court of Common Council meeting.

A decision was taken not to report this action at the previous Court of Common Council meeting as there was some uncertainty over the details of the event. Subsequently, however, Mr Letta resigned from the post of Prime Minister and the event was cancelled.

### **iii) Prime Minister of Japan**

We report, for information, action taken as a matter of urgency, pursuant to Standing Order No.19, in approving arrangements for the City of London Corporation to host a dinner at Guildhall on 1 May 2014 for the Prime Minister of Japan as part of his official visit to the UK, during which he will have talks with the Prime Minister and an audience with The Queen. This decision was taken under urgency as arrangements needed to be confirmed prior to the next Court of Common Council meeting, which is being held on the same day as the dinner.

It is envisaged that the dinner will provide an opportunity for the Corporation to further strengthen its engagement with key Japanese institutions and support City businesses with strong trade and investment links with Japan.

The arrangements for the dinner were made under the auspices of the Policy and Resources Committee with the cost being met from City's Cash, within the approved cost parameters.

This will be a Committee event.

*Received.*

## **PLANNING AND TRANSPORTATION COMMITTEE**

**(Deputy Michael Welbank, M.B.E.)**

25 February 2014

### **City of London Community Infrastructure Levy (CIL)**

The City of London Community Infrastructure Levy (CIL) replaces Section 106 planning obligations and is a statutory fixed charge on new development intended to help fund the provision of new infrastructure to support development. CIL can be used to fund the provision, improvement, replacement, operation or maintenance of infrastructure but cannot be used to fund affordable housing and revenue schemes as these are still to be sought through scaled back S106 planning obligations. The City CIL will not put the growth of the City at risk, whilst continuing to deliver capital funding to help deliver necessary infrastructure improvements.

We **recommend** the approval of a separately printed and circulated report which proposes that the City of London Community Infrastructure Levy (CIL) be adopted and implemented, taking effect on 1 July 2014.

*Read and agreed to.*

## **COMMUNITY AND CHILDREN'S SERVICES COMMITTEE**

**(The Reverend Dr Martin Raymond Dudley)**

10 January 2014

### **Housing Strategy**

The City of London Housing Strategy for 2014–2019 is a high-level statement of the housing offer which the City is aiming to deliver for residents and tenants over the next five years through all forms of tenure. It meets the City's legal obligations to draw up and publish a housing strategy for the locality and supports the City of London's corporate and strategic aims and sets out policies and objectives, based on accurate and up-to-date evidence, which will improve the City Corporation's housing stock and housing-related services for residents and tenants. Copies of the Strategy can be found in the Members' Reading Room

It will be delivered through joint working between a number of the City Corporation departments together with external partners and we submit a separately printed and circulated report thereon which recommends the adoption of the Housing Strategy 2014-19.

*Read and agreed.*

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

31st January 2014

**Co-opted Member Appointments (Standards Committee) - Composition of the Selection panel**

Your Committee seeks approval to revise the composition of the Selection Panel for the purposes of short-listing and interviewing applicants for Co-opted Member roles on the Standards Committee. The current composition which includes the Chairman of the Policy and Resources Committee, the Chairman of the General Purposes Committee of Aldermen and the Chief Commoner (or their representatives) was agreed by the Court of Common Council in 2000 when the new Standards Committee was established and when no Chairman or Deputy Chairman of the new Committee existed. On the grounds that the Standards Committee's arrangements are now firmly established and in view of revisions to the selection panel arrangements for other decision making bodies comprising of elected and Co-opted Members over recent years, including the Police and the Audit and Risk Management Committees, we therefore **recommend** that the Selection Panel (Co-opted Members of the Standards Committee) be revised to include the Chairman of the Standards Committee, the Deputy Chairman of the Standards Committee, the Chief Commoner and the Chairman of the General Purposes Committee of Aldermen (or their representatives).

*Read and agreed to.*

**HEALTH AND WELLBEING BOARD**  
**(The Reverend Dr. Martin Raymond Dudley)**

2 April 2014

Since the City Corporation became responsible for promoting the wellbeing of all the people who live or work in the City of London a range of activities have been undertaken to promote their health and wellbeing. The purpose of this report is to provide the Court with an update on the events that have taken place over the past year and to advise on the priorities and objectives for the future and we submit a printed and circulated report thereon.

*Received.*

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

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

Summary of exempt items considered whilst the public were excluded  
 The Court: -

- a) approved action taken under urgency procedures approving recommendations of the Property Investment Board on purchase of freehold and long leasehold interests: and

- b) approved the recommendations of the Hospitality Working Party of the Policy & Resources Committee on a matter of hospitality.

**The meeting commenced at 1.00 pm and ended at 2.30 pm**

**BARRADELL.**





## List of Applications for the Freedom

To be presented on Thursday, 12th June, 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>Margaret Isobel Burgess</b>    | a Chartered Physiotherapist               | King's Somborne, Hampshire |
| <i>Stephen William Burgess</i>    | <i>Citizen and Carman</i>                 |                            |
| <i>Martyn Howard Fletcher</i>     | <i>Citizen and Carman</i>                 |                            |
| <b>James Henry Dawson</b>         | a Head Teacher                            | Stratford, Newham          |
| <i>Daphne Edwina Cave</i>         | <i>Citizen and Glover</i>                 |                            |
| <i>Peter Claude Cave</i>          | <i>Citizen and Insurer</i>                |                            |
| <b>Christopher Michael Seaby</b>  | a Food Product Development Manager        | Stratford, Newham          |
| <i>Daphne Edwina Cave</i>         | <i>Citizen and Glover</i>                 |                            |
| <i>Peter Claude Cave</i>          | <i>Citizen and Insurer</i>                |                            |
| <b>David Edward Michael Best</b>  | a Chartered Accountant                    | Surbiton, Surrey           |
| <i>Stephen Braithwaite Murray</i> | <i>Citizen and Gunmaker</i>               |                            |
| <i>Ian Joseph Andrews</i>         | <i>Citizen and Gunmaker</i>               |                            |
| <b>Augusta Fay Lucy Harris</b>    | a City of London Guide                    | Brentwood, Essex           |
| <i>James George Williams</i>      | <i>Citizen and Builders Merchant</i>      |                            |
| <i>John Hauxwell</i>              | <i>Citizen and Builders Merchant</i>      |                            |
| <b>Susan Jane Gentry-Done</b>     | a Holistic Therapist                      | Hertford, Hertfordshire    |
| <i>Gordon Mark Gentry</i>         | <i>Citizen and Baker</i>                  |                            |
| <i>John Alexander Smail</i>       | <i>Citizen and Distiller</i>              |                            |
| <b>Andrew James White</b>         | a Lead Chaplain                           | Bexleyheath, Bexley        |
| <i>Kristen James Cottier</i>      | <i>Citizen and Spectacle Maker</i>        |                            |
| <i>David John Parkins</i>         | <i>Citizen and Spectacle Maker</i>        |                            |
| <b>Christopher Ian McArthur</b>   | a Scientist, retired                      | Woodbridge, Suffolk        |
| <i>Stanley Brown, QGM, TD</i>     | <i>Citizen and Loriner</i>                |                            |
| <i>George Edward Burton</i>       | <i>Citizen and Basketmaker</i>            |                            |
| <b>Kimberly Karen Bone</b>        | a Facilities Assistant                    | Hainault, Redbridge        |
| <i>Stanley Brown, QGM, TD</i>     | <i>Citizen and Loriner</i>                |                            |
| <i>Michael Richard Adkins</i>     | <i>Citizen and Water Conservator</i>      |                            |
| <b>Phillip Arthur Bone</b>        | a Hackney Carriage Driver                 | Hainault, Redbridge        |
| <i>Stanley Brown, QGM, TD</i>     | <i>Citizen and Loriner</i>                |                            |
| <i>Michael Richard Adkins</i>     | <i>Citizen and Water Conservator</i>      |                            |
| <b>Anthony John Dring</b>         | an Independent Financial Advisor, retired | Leigh-on-Sea, Essex        |
| <i>Robert Woodland</i>            | <i>Citizen and Painter Stainer</i>        |                            |
| <i>Reginald Charles Houghton</i>  | <i>Citizen and Painter Stainer</i>        |                            |

|  |  |  |
|--|--|--|
| <b>Keith Davison</b>                     | a Measurement and Control Manager, retired     | Romford, Havering                        |
| <i>George Thomas Chudley</i>             | <i>Citizen and Basketmaker</i>                 |  |
| <i>Geoffrey William Ian Snelling</i>     | <i>Citizen and Basketmaker</i>                 |  |
| <b>Mark Jason Beach</b>                  | a Headmaster                                   | Wonersh, Surrey                          |
| <i>Elizabeth Rogula, CC</i>              | <i>Citizen and Common Councilman</i>           |  |
| <i>Vivienne Littlechild, CC</i>          | <i>Citizen and Common Councilman</i>           |  |
| <b>Jonathan Roger Lyndon Prior</b>       | a Clerk in Holy Orders                         | Ashtead, Surrey                          |
| <i>Vivienne Littlechild, CC</i>          | <i>Citizen and Common Councilman</i>           |  |
| <i>Elizabeth Rogula, CC</i>              | <i>Citizen and Common Councilman</i>           |  |
| <b>Diane Frances Rees</b>                | an Accountant                                  | Littlehampton, Sussex                    |
| <i>Harold Ebenezer Piggott</i>           | <i>Citizen and Basketmaker</i>                 |  |
| <i>Paul Stephen Hollebone</i>            | <i>Citizen and Chartered Accountant</i>        |  |
| <b>Roberta Lucy Rees-Butt</b>            | a Student                                      | Leatherhead, Surrey                      |
| <i>John Alexander Smail</i>              | <i>Citizen and Distiller</i>                   |  |
| <i>John Donald Lunn</i>                  | <i>Citizen and Fan Maker</i>                   |  |
| <b>Brian Peter Weal</b>                  | an Investment Fund Director                    | Cadiz, Spain                             |
| <i>Brian Derek Francois</i>              | <i>Citizen and Environmental Cleaner</i>       |  |
| <i>Neil Leigh-Collyer</i>                | <i>Citizen and Wheelwright</i>                 |  |
| <b>Joseph David Sebastian Stephens</b>   | a Careers and Employment Adviser               | Palmers Green, Enfield                   |
| <i>Howard Andre Beber</i>                | <i>Citizen and Poulter</i>                     |  |
| <i>Brian John Coombe</i>                 | <i>Citizen and Poulter</i>                     |  |
| <b>Modena Ann Sandford</b>               | a Working Friend at St Paul's Cathedral        | Ware, Hertfordshire                      |
| <i>Alan Leslie Warman</i>                | <i>Citizen and Clockmaker</i>                  |  |
| <i>Terence Taylor</i>                    | <i>Citizen and Clockmaker</i>                  |  |
| <b>Anna Claire Robinson</b>              | a Public Relations Director                    | Chislehurst                              |
| <i>Catherine Fiona Woolf, CBE, Ald.</i>  | <i>Citizen and Solicitor</i>                   |  |
| <i>John Nicholas Woolf</i>               | <i>Citizen and Tax Adviser</i>                 |  |
| <b>Barbara Philomena Schurer</b>         | a Member of Lloyd's                            | South Kensington, Kensington and Chelsea |
| <i>Elizabeth Rogula, CC</i>              | <i>Citizen and Common Councilman</i>           |  |
| <i>Alexander Bain Stewart, CC</i>        | <i>Citizen and Gold and Silver Wyre Drawer</i> |  |
| <b>Isaac Clifford Kenyon</b>             | a Student                                      | Luton, Bedfordshire                      |
| <i>Roy William Painter</i>               | <i>Citizen and Carman</i>                      |  |
| <i>Alan Osborn</i>                       | <i>Citizen and Environmental Cleaner</i>       |  |
| <b>Barry Ronald Cook</b>                 | a Lift Engineering Consultant                  | Bromley                                  |
| <i>Peter John Neal</i>                   | <i>Citizen and Plasterer</i>                   |  |
| <i>Nigel Keith Croxford</i>              | <i>Citizen and Plasterer</i>                   |  |
| <b>Michael Gerard Holohan</b>            | an Insurance Global Finance Controller         | Mitcham, Merton                          |
| <i>Ian Patterson Wilson</i>              | <i>Citizen and Arbitrator</i>                  |  |
| <i>Stephen Richard Anthony Winspear</i>  | <i>Citizen and Pavior</i>                      |  |
| <b>Giles Michael Charles Clifton</b>     | a Head of Public Affairs                       | Balham, Wandsworth                       |
| <i>William George Hunt, TD, CC</i>       | <i>Citizen and Maker of Playing Cards</i>      |  |
| <i>Paul Frederick Worsley</i>            | <i>Citizen and Cooper</i>                      |  |
| <b>Roger Harold Wilkinson</b>            | an Electrical Engineer                         | Chatham, Kent                            |
| <i>Robert Alan Broomhead, TD</i>         | <i>Citizen and Management Consultant</i>       |  |
| <i>Christine Anne Patricia Broomhead</i> | <i>Citizen and Basketmaker</i>                 |  |
| <b>Marek Stefan Kasperski</b>            | a University Chancellor                        | Hallett Cove, South Australia, Australia |
| <i>Frederick Joseph Trowman</i>          | <i>Citizen and Loriner</i>                     |  |
| <i>David Robert Boston</i>               | <i>Citizen and Gold and Silver Wyre Drawer</i> |  |
| <b>Robert John Birchard</b>              | an Insurance Underwriter                       | Tunbridge Wells, Kent                    |
| <i>Donald Howard Coombe, MBE</i>         | <i>Citizen and Poulter</i>                     |  |
| <i>David Peter Coombe</i>                | <i>Citizen and Poulter</i>                     |  |

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| <b>Suzanne Knowler</b><br><i>George Marr Flemington<br/>Gillon, CC<br/>John Patrick Stone</i>                    | a Waitress<br><i>Citizen and Chartered Surveyor</i>   | Hornchurch, Havering               |
| <b>Elizabeth Ann Purves</b>  | <i>Citizen and Poulter</i><br>a Music Teacher, retired  | Kirkwhelpington,<br>Northumberland |
| <i>Stephen Leslie Wagstaffe<br/>Jacqueline Frances Howes</i>   | <i>Citizen and Chartered Architect<br/>Citizen and Chartered Architect</i>  |                                    |
| <b>Carolyn Jane Robertson Agnew</b><br><i>Timothy Russell Hailes, Ald,<br/>JP.<br/>Thomas Sleigh, CC</i>         | a Solicitor<br><br><i>Citizen and International Banker</i>  | Lee, Lewisham                      |
| <b>Joseph Richard Carr-Archer</b><br><i>Peter Francis Clark<br/>Richard Reid, OBE</i>                            | <i>Citizen and Common Councilman</i><br>a Cathedral Architect, retired  | York, North Yorkshire              |
| <b>Jennifer Watson-Bore</b><br><i>David Nicholas Scahill<br/>Donald William Lewis</i>                            | <i>Citizen and Mason<br/>Citizen and Mason</i><br>a Teacher, retired<br><i>Citizen and Engineer<br/>Citizen and Baker</i> | Canterbury, Kent                   |
| <b>Philip Lister Somervail</b><br><i>Peter Claude Cave<br/>Daphne Edwina Cave</i>                                | an Insurance Broker<br><i>Citizen and Insurer<br/>Citizen and Glover</i>  | Grays, Essex                       |
| <b>Mark Ashley Rutter</b><br><br><i>John Donald Lunn<br/>John Alexander Smail</i>                                | an Information Technology<br>Consultant<br><i>Citizen and Fan Maker<br/>Citizen and Distiller</i>                         | Whetstone, Barnet                  |
| <b>Philippa Crowder</b><br><i>Alexander Bain Stewart, CC</i>   | a Professional Landlord<br><i>Citizen and Gold and Silver Wyre<br/>Drawer<br/>Citizen and Pattenmaker</i>                 | Gidea Park, Havering               |
| <i>Christopher Michael<br/>Hayward, CC</i>   |   |                                    |
| <b>Anthony Joseph Williams</b><br><i>Alexander Bain Stewart, CC</i>  | a Repairs Manager<br><br><i>Citizen and Gold and Silver Wyre<br/>Drawer<br/>Citizen and Pattenmaker</i>                   | Dagenham, Barking and<br>Dagenham  |
| <i>Christopher Michael<br/>Hayward, CC</i>   |   |                                    |
| <b>Jill Kathleen Williams</b><br><br><i>Alexander Bain Stewart, CC</i>   | a Care Worker<br><br><i>Citizen and Gold and Silver Wyre<br/>Drawer<br/>Citizen and Pattenmaker</i>                       | Dagenham, Barking and<br>Dagenham  |
| <i>Christopher Michael<br/>Hayward, CC</i>   |   |                                    |
| <b>Jolanta Alicja Krecichwost-Kudzio</b><br><i>Gary Cornwell Morley<br/>Kenneth Edwin Ayers, MBE,<br/>Deputy</i> | an Administrative Accountant<br><br><i>Citizen &amp; Plaisterer<br/>Citizen and Actuary</i>                               | Islington                          |
| <b>Alun Bryan Spencer</b><br><br><i>Alan Leslie Warman<br/>Terence Taylor</i>                                    | a Palace Assistant to the<br>Superintendent, retired<br><i>Citizen and Clockmaker<br/>Citizen and Clockmaker</i>          | Old Windsor, Berkshire             |
| <b>Harold Peter Tillman</b><br><i>Sir David Brewer, Kt, CMG<br/>Sir Roger Gifford, Kt, Ald.</i>                  | a Fundraising Chairman<br><i>Citizen and Merchant Taylor<br/>Citizen and Musician</i>                                     | Highgate, Haringey                 |
| <b>Victoria Anne Mitchell</b><br><i>Trevor Peter Dutt, RD<br/>David Benjamin Morris</i>                          | a Marketing Director<br><i>Citizen and Apothecary<br/>Citizen and Solicitor</i>   | Chiswick                           |
| <b>Malcolm Arthur Vede</b><br><i>Frederick Charles Parr<br/>Michael Peter Cawston</i>                            | a Management Consultant<br><i>Citizen and Tyler and Bricklayer<br/>Citizen and Tyler and Bricklayer</i>                   | Iford, Redbridge                   |
| <b>Susan Janet Miller</b><br><i>John Donald Lunn<br/>John Alexander Smail</i>                                    | a Charity Worker<br><i>Citizen and Fan Maker<br/>Citizen and Distiller</i>  | Tower Hamlets                      |

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|---|--|--------------------------------------|
| <b>David Carun</b>  | a Project Management Associate<br>Director   | Stratford                            |
| <i>Hugh Fenton Morris, CC</i><br><i>Dhruv Patel, CC</i>   | <i>Citizen and Maker of Playing Cards</i><br><i>Citizen and Common Councilman</i>          |                                      |
| <b>Emily Blanche McGuire</b>  | an Investment Consultant   | Haringey                             |
| <i>Roger Arthur Holden</i><br><i>Chadwick, CC</i><br><i>Gerald Albert George</i><br><i>Pulman, JP, Deputy</i> | <i>Citizen and Bowyer</i><br><br><i>Citizen and Basketmaker</i>                            |                                      |
| <b>Nicholas Paul Kaye</b>   | a Headmaster   | Chelsea, Kensington and<br>Chelsea   |
| <i>Andrew Charles Parmley,</i><br><i>Ald.</i><br><i>Jonathan Patterson Shiels</i>                             | <i>Citizen and Musician</i><br><br><i>Citizen and Joiner</i>                               |                                      |
| <b>Mandy Elizabeth Fox</b>  | a Finance Assistant  | Braintree, Essex                     |
| <i>Joyce Nash, OBE, Deputy</i><br><i>Vivienne Littlechild, CC</i>   | <i>Citizen and Feltmaker</i><br><i>Citizen and Common Councilman</i>                       |                                      |
| <b>Christopher Harold</b><br><b>Alexander Goodwin, TD,</b><br><b>DL</b>                                       | a Diplomatic Consultant  | Wandsworth                           |
| <i>John Alfred Bennett, Deputy</i><br><i>George Marr Flemington</i><br><i>Gillon, CC</i>                      | <i>Citizen and International Banker</i><br><i>Citizen and Chartered Surveyor</i>           |                                      |
| <b>Wayne Timothy Hirst</b>  | a Banker   | Pinner                               |
| <i>Gordon William Sinclair</i><br><i>Davie</i><br><i>Hugh Gordon William Davie</i>                            | <i>Citizen and Wheelwright</i><br><br><i>Citizen and Wheelwright</i>                       |                                      |
| <b>John Walter Luton</b>  | a Film Director  | Welwyn Garden City,<br>Hertfordshire |
| <i>Alexander Bain Stewart, CC</i><br><i>Stanley Ginsburg, Deputy</i>  | <i>Citizen and Gold and Silver Wyre</i><br><i>Drawer</i><br><i>Citizen and Glover</i>      |                                      |
| <b>Jonathan William</b><br><b>Anthony Loe</b>   | a Store Manager  | Crouch End                           |
| <i>Alexander Bain Stewart, CC</i><br><i>Stanley Ginsburg, Deputy</i>  | <i>Citizen and Gold and Silver Wyre</i><br><i>Drawer</i><br><i>Citizen and Glover</i>      |                                      |
| <b>David Thomas Warrilow</b>  | a Lawyer   | Highbury                             |
| <i>Alexander Bain Stewart, CC</i><br><br><i>Christopher Michael</i><br><i>Hayward, CC</i>                     | <i>Citizen and Gold and Silver Wyre</i><br><i>Drawer</i><br><i>Citizen and Pattenmaker</i> |                                      |
| <b>Robert John Welch</b>  | a Travel Company Director  | Trafalgar Square,<br>Westminster     |
| <i>Alexander Bain Stewart, CC</i><br><br><i>Christopher Michael</i><br><i>Hayward, CC</i>                     | <i>Citizen and Gold and Silver Wyre</i><br><i>Drawer</i><br><i>Citizen and Pattenmaker</i> |                                      |
| <b>Jack Oliver Andrew</b><br><b>Harris</b>  | a Tour Company Director  | Elephant and Castle                  |
| <i>Alexander Bain Stewart, CC</i><br><br><i>Stanley Ginsburg, Deputy</i>                                      | <i>Citizen and Gold and Silver Wyre</i><br><i>Drawer</i><br><i>Citizen and Glover</i>      |                                      |
| <b>Ronald Reginald</b><br><b>Pritchard</b>  | an Engineer, retired   | Newington, Sittingbourne,<br>Kent    |
| <i>Alexander Bain Stewart, CC</i><br><br><i>Stanley Ginsburg, Deputy</i>                                      | <i>Citizen and Gold and Silver Wyre</i><br><i>Drawer</i><br><i>Citizen and Glover</i>      |                                      |
| <b>Lisa Preuveneers</b>   | a Law Consulting Services<br>Director  | Kingswood, Surrey                    |
| <i>John Donald Lunn</i><br><i>Anthony John Keith</i><br><i>Woodhead</i>                                       | <i>Citizen and Fan Maker</i><br><i>Citizen and Tax Adviser</i>                             |                                      |
| <b>Andres Perez De</b><br><b>Herrasti Goyeneche</b>   | a Wine Company Director  | Clapham                              |
| <i>David Edmund Grant</i><br><i>Susannah Rowena Grant</i>   | <i>Citizen and Distiller</i><br><i>Citizen and Distiller</i>                               |                                      |

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| <b>Livia Giuggioli Firth</b><br><i>Alison Jane Gowman, Ald.</i><br><i>Andrew Charles Parmley,</i><br><i>Ald.</i>                              | a Creative Director<br><i>Citizen and Glover</i><br><i>Citizen and Musician</i>                                    | Broadstone, Dorset                          |
| <b>Mark Thomas Dacres Butler</b><br><i>Alison Jane Gowman, Ald.</i><br><i>Ann Elizabeth Esslemont</i>   | a Livery Company Clerk<br><br><i>Citizen and Glover</i><br><i>Citizen and Glover</i>                               | Shaftesbury, Dorset                         |
| <b>David Ian Meggitt</b><br><i>Michael Raymond Mainelli,</i><br><i>Ald</i><br><i>Mark Geoffrey Yeandle</i>                                    | a Civil Engineer<br><i>Citizen and World Trader</i><br><br><i>Citizen and Weaver</i>                               | Esher, Surrey                               |
| <b>Petrina Mikayla Kasperski</b><br><i>Frederick Joseph Trowman</i><br><i>David Robert Boston</i>   | an Executive Officer<br><br><i>Citizen and Loriner</i><br><i>Citizen and Gold and Silver Wyre</i><br><i>Drawer</i> | Hallett Cove, South Australia,<br>Australia |
| <b>James David John Hurley</b><br><i>Richard Leslie Springford</i><br><i>Richard Stuart Goddard</i>   | a Construction Chemicals<br>Company Director<br><i>Citizen and Carman</i><br><i>Citizen and Shipwright</i>         | Limehouse                                   |
| <b>Atul Sudra</b><br><i>Derek Thornton</i><br><i>Angela Margaret Darling</i>  | a Lloyd's Reinsurance Broker<br><i>Citizen and Upholder</i><br><i>Citizen and Insurer</i>                          | Westminster                                 |
| <b>Caroline Gillian Mawhood</b><br><i>Jeremy Paul Mayhew, CC</i><br><i>Nicholas John Anstee, Ald.</i>   | an Assistant Auditor General,<br>retired<br><i>Citizen and Loriner</i><br><i>Citizen and Butcher</i>               | Southfields                                 |
| <b>Commodore Christopher William Waite</b><br><i>Mark Anthony Grove</i><br><i>Jean Deillon</i>  | a Livery Company Clerk<br><br><i>Citizen and Cook</i><br><i>Citizen and Distiller</i>                              | Sherborne, Dorset                           |
| <b>Michael John Smith</b><br><i>Donald Howard Coombe,</i><br><i>MBE</i><br><i>David Peter Coombe</i>  | a Building Surveyor, retired<br><i>Citizen and Poulter</i><br><br><i>Citizen and Poulter</i>                       | Bromley                                     |
| <b>Brian Arthur Wingate</b><br><i>Alan Leslie Warman</i><br><i>Hugh Richard Harold</i><br><i>Walduck, OBE, Ald.</i>                           | a Senior Service Manager<br><i>Citizen and Clockmaker</i><br><i>Citizen and Basketmaker</i>                        | Hoddesdon, Hertfordshire                    |
| <b>David Lyons</b><br><i>Scott Marcus Longman</i><br><i>Daniell Timothy Morrissey</i>   | a Warehouse Assistant<br><i>Citizen and Blacksmith</i><br><i>Citizen and Blacksmith</i>                            | Paddington                                  |
| <b>Stephen John Richards</b><br><i>Donald Howard Coombe,</i><br><i>MBE</i><br><i>David Peter Coombe</i>                                       | a Traffic Engineer<br><i>Citizen and Poulter</i><br><br><i>Citizen and Poulter</i>                                 | Sidcup                                      |
| <b>Jane Elizabeth Anson</b><br><br><i>Marianne Bernadette</i><br><i>Fredericks, CC</i><br><i>James Henry George</i><br><i>Pollard, Deputy</i> | a Policy Officer<br><br><i>Citizen and Baker</i><br><br><i>Citizen and Skinner</i>                                 | Barking, Barking and<br>Dagenham            |
| <b>John Richard Steele, TD</b><br><i>John Alexander Smail</i><br><i>Gordon Mark Gentry</i>  | a Chartered Civil Engineer, retired<br><i>Citizen and Distiller</i><br><i>Citizen and Baker</i>                    | Pollokshields, Glasgow                      |
| <b>Anne Buchanan Steele</b><br><i>John Alexander Smail</i><br><i>Gordon Mark Gentry</i>   | a Specialist Nurse, retired<br><i>Citizen and Distiller</i><br><i>Citizen and Baker</i>                            | Pollokshields, Glasgow                      |
| <b>Alan Eric Sugden</b><br><br><i>David Burns</i><br><i>Stanley Brown, QGM, TD</i>  | a Mechanical Maintenance<br>Company Director<br><i>Citizen and Lightmonger</i><br><i>Citizen and Loriner</i>       | Tenterden, Kent                             |

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| <b>Russell Nigel Sollof</b>                               | a Charity Director                                 | Bishops Stortford,<br>Hertfordshire  |
| <i>Alexander Bain Stewart, CC</i>                         | <i>Citizen and Gold and Silver Wyre<br/>Drawer</i> |                                      |
| <i>Stanley Ginsburg, Deputy</i>                           | <i>Citizen and Glover</i>                          |                                      |
| <b>Steven Robert Mycroft</b>                              | a Service Operations Manager                       | Colchester, Essex                    |
| <i>Alexander Bain Stewart, CC</i>                         | <i>Citizen and Gold and Silver Wyre<br/>Drawer</i> |                                      |
| <i>Stanley Ginsburg, Deputy</i>                           | <i>Citizen and Glover</i>                          |                                      |
| <b>Elizabeth Jean Nicholass</b>                           | a Road Marking Company<br>Director                 | Bromley                              |
| <i>John Alexander Smail</i>                               | <i>Citizen and Distiller</i>                       |                                      |
| <i>Anthony John Keith<br/>Woodhead</i>                    | <i>Citizen and Tax Adviser</i>                     |                                      |
| <b>Rosemary Genevieve Davis</b>                           | a Professor of Emerita, retired                    | Moreton in Marsh,<br>Gloucestershire |
| <i>Brian Andrew Kay, OBE, TD,<br/>DL</i>                  | <i>Citizen and Furniture Maker</i>                 |                                      |
| <i>Martin William Lindsay Dodd,<br/>TD</i>                | <i>Citizen and Vintner</i>                         |                                      |
| <b>Sheena Lesley Kilcast</b>                              | a Married Woman                                    | Pinner                               |
| <i>The Rt. Hon The Lord Mayor<br/>John Nicholas Woolf</i> | <i>Citizen and Tax Adviser</i>                     |                                      |
| <b>Rupert Bowland Pengelley, TD</b>                       | an Editor, retired                                 | Barnes                               |
| <i>Michael Steele Keith Grant</i>                         | <i>Citizen and Information Technologist</i>        |                                      |
| <i>Robert Michael John Keene</i>                          | <i>Citizen and Tallow Chandler</i>                 |                                      |
| <b>Mark Alexander Hardinge</b>                            | an Insurance Agency Director                       | Pimlico                              |
| <i>Mark Sutherland Johnson</i>                            | <i>Citizen and Woolman</i>                         |                                      |
| <i>Rex Sutherland Johnson</i>                             | <i>Citizen and Woolman</i>                         |                                      |
| <b>David Julian Lyons</b>                                 | an Ironmonger, retired                             | Watford, Hertfordshire               |
| <i>Michael Steele Keith Grant</i>                         | <i>Citizen and Information Technologist</i>        |                                      |
| <i>Antony Richard O'hagan, TD</i>                         | <i>Citizen and Fan Maker</i>                       |                                      |
| <b>Simon Charles Garrett, TD</b>                          | a Management Consultant                            | High Wycombe,<br>Buckinghamshire     |
| <i>Michael Steele Keith Grant</i>                         | <i>Citizen and Information Technologist</i>        |                                      |
| <i>William Harvey Charles Ward</i>                        | <i>Citizen and Skinner</i>                         |                                      |
| <b>Sasha Elizabeth Cowley Jory</b>                        | a Banker   | Ashtead, Surrey                      |
| <i>John Alfred Bennett, Deputy</i>                        | <i>Citizen and International Banker</i>            |                                      |
| <i>Stuart John Fraser, CC</i>                             | <i>Citizen and Fletcher</i>                        |                                      |
| <b>Richard James Jory</b>                                 | a Chartered Accountant                             | Ashtead, Surrey                      |
| <i>John Alfred Bennett, Deputy</i>                        | <i>Citizen and International Banker</i>            |                                      |
| <i>Stuart John Fraser, CC</i>                             | <i>Citizen and Fletcher</i>                        |                                      |
| <b>Michael Victor Walker</b>                              | a Social Care Registered Manager                   | Chadwell Heath                       |
| <i>Maurice Geoffrey Court</i>                             | <i>Citizen and Gold and Silver Wyre<br/>Drawer</i> |                                      |
| <i>Paul Bernard Cohen</i>                                 | <i>Citizen and Gold and Silver Wyre<br/>Drawer</i> |                                      |
| <b>George Timothy Hayburn</b>                             | a Music Teacher                                    | Kentish Town                         |
| <i>Giles Robert Evelyn Shilson,<br/>Deputy</i>            | <i>Citizen and Common Councilman</i>               |                                      |
| <i>Ian Christopher Norman<br/>Seaton, CC</i>              | <i>Citizen and Girdler</i>                         |                                      |
| <b>Roger Christian Tommaso D'elia</b>                     | a Facilities Management<br>Consultant              | Islington                            |
| <i>Keith Cledwyn Williams</i>                             | <i>Citizen and Framework Knitter</i>               |                                      |
| <i>Jacqueline Sandra Williams</i>                         | <i>Citizen and Upholder</i>                        |                                      |
| <b>Jessica Carmel Beth Goodman</b>                        | an Assistant Financial Planner                     | Brentwood, Essex                     |
| <i>Flora Ann Reed</i>                                     | <i>Citizen and Glass Seller</i>                    |                                      |
| <i>Alan Roy Willis</i>                                    | <i>Citizen and Baker</i>                           |                                      |

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| <b>Carole Ann Howlett</b>                       | an Information Technology<br>Consultancy Director | Isle of Dogs                 |
| <i>Nicholas Harris</i>                          | <i>Citizen and Information Technologist</i>       |                              |
| <i>John Lionel Saysell</i>                      | <i>Citizen and Information Technologist</i>       |                              |
| <b>Teresa Margaret Heady</b>                    | a Senior Conservator                              | Southwark                    |
| <i>John Alexander Smail</i>                     | <i>Citizen and Distiller</i>                      |                              |
| <i>Gordon Mark Gentry</i>                       | <i>Citizen and Baker</i>                          |                              |
| <b>Sir John Andrew<br/>Likierman</b>            | a Business School Dean                            | Regents Park, Westminster    |
| <i>Jeremy Paul Mayhew, CC</i>                   | <i>Citizen and Loriner</i>                        |                              |
| <i>Sir Michael Snyder, Kt.<br/>Deputy</i>       | <i>Citizen and Needlemaker</i>                    |                              |
| <b>Robin Whittam</b>                            | a Health Service Catering<br>Manager, retired     | Huddersfield, West Yorkshire |
| <i>Keith Richard Stevens</i>                    | <i>Citizen and Management Consultant</i>          |                              |
| <i>Michael John Willett</i>                     | <i>Citizen and Air Pilot and Air Navigator</i>    |                              |
| <b>Isotta Reichenbach</b>                       | a Student   | Queens Park                  |
| <i>John Alexander Smail</i>                     | <i>Citizen and Distiller</i>                      |                              |
| <i>Anne Elizabeth Holden</i>                    | <i>Citizen and Basketmaker</i>                    |                              |
| <b>Amelia Sophie Curtis</b>                     | a Director of Lettings                            | Norwood Green, Ealing        |
| <i>Richard Robin Wilmington</i>                 | <i>Citizen and Cooper</i>                         |                              |
| <i>Vivian Murray Bairstow</i>                   | <i>Citizen and Cooper</i>                         |                              |
| <b>Robin David Melville<br/>Curtis</b>          | a Lettings and Property Company<br>Director       | Norwood Green, Ealing        |
| <i>Richard Robin Wilmington</i>                 | <i>Citizen and Cooper</i>                         |                              |
| <i>Vivian Murray Bairstow</i>                   | <i>Citizen and Cooper</i>                         |                              |
| <b>Baron Miguel Antonio<br/>Horta E Costa</b>   | a Banker  | Cascais, Portugal            |
| <i>Anthony John James Bailey,<br/>OBE, GCSS</i> | <i>Citizen and Loriner</i>                        |                              |
| <i>Sir Gavyn Arthur, Kt</i>                     | <i>Citizen and Gardener</i>                       |                              |
| <b>Rayya Hisham Fakhri<br/>Tabaqchali</b>       | an Artist   | Kingswood, Surrey            |
| <i>Stuart John Fraser, CC</i>                   | <i>Citizen and Fletcher</i>                       |                              |
| <i>John Alfred Bennett, Deputy</i>              | <i>Citizen and International Banker</i>           |                              |
| <b>Nicholas James<br/>Matthews</b>              | a Chartered Surveyor                              | Downe, Kent                  |
| <i>Peter Gordon Bennett</i>                     | <i>Citizen and Chartered Surveyor</i>             |                              |
| <i>Suzanne Clare Jones</i>                      | <i>Citizen and Baker</i>                          |                              |
| <b>Margaret Gay Cordell</b>                     | a Draughting Technician, retired                  | Wakefield, West Yorkshire    |
| <i>Keith Richard Stevens</i>                    | <i>Citizen and Management Consultant</i>          |                              |
| <i>Michael John Willett</i>                     | <i>Citizen and Air Pilot and Air Navigator</i>    |                              |
| <b>Darryl Roland Emery</b>                      | a Lloyd's Underwriter                             | Chelmsford, Essex            |
| <i>Donald Howard Coombe,<br/>MBE</i>            | <i>Citizen and Poulter</i>                        |                              |
| <i>David Peter Coombe</i>                       | <i>Citizen and Poulter</i>                        |                              |
| <b>Roderick Edmund<br/>Wright</b>               | a Chartered Accountant                            | Barnet                       |
| <i>Michael Steele Keith Grant</i>               | <i>Citizen and Information Technologist</i>       |                              |
| <i>Barry Chester Winfield</i>                   | <i>Citizen and Cooper</i>                         |                              |
| <b>David William Scutts</b>                     | a Joiner  | Catford                      |
| <i>Donald Howard Coombe,<br/>MBE</i>            | <i>Citizen and Poulter</i>                        |                              |
| <i>David Peter Coombe</i>                       | <i>Citizen and Poulter</i>                        |                              |
| <b>Thomas Edward Creed</b>                      | a Civil Engineer                                  | Tonbridge, Kent              |
| <i>Peter Gordon Bennett</i>                     | <i>Citizen and Chartered Surveyor</i>             |                              |
| <i>James Maycock</i>                            | <i>Citizen and Curriers</i>                       |                              |
| <b>James Caledon<br/>Alexander</b>              | a Design Agency Director                          | Wimbledon Park               |
| <i>Michael Steele Keith Grant</i>               | <i>Citizen and Information Technologist</i>       |                              |
| <i>Roger Charles Marsh</i>                      | <i>Citizen and Glover</i>                         |                              |

|   |   |                         |
|---|---|-------------------------|
| <p><b>Alberto Luis Laplaine<br/>Fernandes Guimaraes</b><br/><i>Anthony John James Bailey,<br/>OBE,<br/>Sir Gavyn Arthur, Kt</i></p> | <p>The Secretary General of the City<br/>of Lisbon<br/><i>Citizen and Loriner</i></p>   | <p>Lisbon, Portugal</p> |
| <p><b>Gaye Diana Mary<br/>Jackson</b><br/><i>John Alexander Smail<br/>Joseph Larry Herzberg</i></p>                                 | <p><i>Citizen and Gardener</i><br/>a General Practitioner</p>   | <p>Battersea</p>        |
| <p><b>Anita Garibaldi</b><br/><i>The Rt. Hon The Lord Mayor<br/>George Marr Flemington<br/>Gillon, CC</i></p>                       | <p><i>Citizen and Distiller</i><br/><i>Citizen and Apothecary</i><br/>a Writer and Journalist</p>   | <p>Rome, Italy</p>      |
| <p><b>Sheila Bailey</b><br/><i>Catherine Sidony<br/>McGuinness, Deputy<br/>Roger Arthur Holden<br/>Chadwick, CC</i></p>             | <p><i>Citizen and Chartered Surveyor</i></p> <p>a Chief Executive Officer<br/><i>Citizen and Solicitor</i></p> <p><i>Citizen and Bowyer</i></p> | <p>Southwark</p>        |





## Resolutions from the Annual Wardmotes

*To be presented on Thursday, 12<sup>th</sup> June 2014*

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

The Resolutions from the Annual Wardmotes are set out below for the consideration of the Court:-

### **From the Ward of Aldersgate**

“Noting that testing has revealed areas of concrete on the Barbican Estate which are insufficiently compacted and with less than 4 cm of coverage of reinforcing. These defects have led to the need for extensive inspection and repair. The Wardmote believes that these original construction defects should be the responsibility of the City. The Wardmote understands that this is the subject of discussions between the City and the Barbican Association. The Wardmote urges that the City actively engage in these discussions and report its resolution promptly”

### **From the Ward of Bishopsgate**

“Deploring the fact that a significant number of residents and small businesses in the City are unable to access superfast fibre based broadband services. We also recognise the deficiency of mobile phone coverage by many operators across the Square Mile and call for action to improve the situation”

### **From the Ward of Broad Street**

“At the last Wardmote very great concern was expressed regarding the level of noise and exhaust pollution local to Lothbury. This occurs both during the day from vehicles which stand with engines idling and also at night time when the street is used for parking. The noise and pollution causes much

disturbance to local occupiers, especially those in the residential flats of 7 Lothbury.

Great concern was expressed by Ward voters and residents that despite assurances which had been given in the past by the City of London Corporation that the matter would be investigated, nothing has been done to solve or improve the situation, such that they felt that the City of London Corporation had failed in its duty of care.

The City of London Corporation is therefore asked to confirm:

1. What action will be taken to ensure that the noise level will be reduced to an acceptable level at night time?
2. What action will be taken to raise the awareness of drivers to the prohibition on vehicles idling in pursuance of the City of London's Air Quality Strategy?
3. That the City of London Police will be encouraged to use its powers under the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 to issue Fixed Penalty Notices to drivers of vehicles which are left running unnecessarily in the Lothbury area."

**From the Ward of Castle Baynard**

"Noting that this Wardmote finds it unacceptable that a significant number of residents and businesses in the City are unable to access fast connectivity, and urges the City of London Corporation to press for Superfast Broadband to be extended to the City without further delay."

*(n.b. If resolutions from other Wards are received subsequent to this report, they will be reported to the next available Court but the issues raised will be referred to the relevant Committee(s) for consideration without delay)*



## Report of the Policy & Resources Committee

### Cheapside Business Improvement District

*To be presented on Thursday 12<sup>th</sup> June 2014  
To the Right Honourable The Lord Mayor, Aldermen and Commons  
of the City of London in Common Council.*

#### Summary

1. The Cheapside Initiative (CI) has requested the City Corporation to promote the balloting of proposals for a Business Improvement District (BID) to be established along the length of Cheapside, defined by the institutional anchors of St Paul's Cathedral and the Bank of England at either end of the BID. Your Policy & Resources Committee has considered this request and recommends the promotion of the ballot for a Cheapside BID, with the CI acting as the delivery agents to promote the BID.
2. This report also proposes that the City Corporation part fund the cost of promoting the BID during the financial year 2014/15 (£15,000), and fund the cost of holding the ballot (estimated at £2,200). The vast majority of the funding for the promotion of the BID has already been secured through other sources set out below, and following these expenditures, the BID, if the ballot was successful, will be funded through a levy of the largest ratepayers within the BID area and voluntary contributions from some building owners not included in the levy arrangements.
3. The BID would allow CI to develop activities focusing upon the development and marketing of Cheapside as a retail and office destination and working with businesses to support corporate social responsibility. The BID would not focus on the delivery of improved services such as policing or maintaining the environment, and will not therefore intrude upon the work of the City Corporation.

#### Recommendations

4. We **recommend** that the Court of Common Council grants approval for:

- a) the delivery of a BID for the Cheapside area (area as identified in Appendix 1) be approved;
- b) the Cheapside Initiative to act as delivery agents to promote the BID by developing the BID proposals and the Business Plan for further approval by the City Corporation in September 2014;
- c) the cost of holding the ballot (£2,200), to be funded from the Town Clerk's budget should a decision be made to seek approval of the BID proposals in a BID ballot; and
- d) fund the cost of promoting the BID during the financial year 2014/15, at a cost of £15,000 to be met from the Policy & Resources Committee's City's Cash contingency.

## **Main Report**

### **Background**

1. The CI was established in 2007 as a voluntary partnership with the aim of promoting this part of the City as a 7-day retail destination. The CI has worked with partners to drive forward the cultural and leisure offer, which has complimented the improvements to the environment that have been delivered by the City Corporation through the Cheapside Area Strategy. Together, the City Corporation and the CI have sought to maximise the impact of the positive change that the area has undergone in recent years. Day to day interaction has been led through the City Property Advisory Team.
2. The City Corporation has provided financial support to CI throughout this period, namely that:
  - in December 2010 the Policy & Resources Committee resolved to provide support to finance the staffing of the CI for two years at a cost of £65,000 for each of the calendar years 2011 and 2012; and
  - in December 2012 the Policy & Resources Committee resolved to support the CI for the calendar year 2013 at a cost of £20,000.
3. At the time of agreeing the 2011/12 contribution it was considered that it was important to support the on-going development of the CI as a voluntary partnership, rather than through an alternative mechanism such as a Business Improvement District (BID). Whilst the 2013 contribution was welcomed by the CI Board, they remained concerned about the long term sustainability of the partnership, whilst relying on voluntary contributions. In particular, the current nature of the partnership means that it is not possible to plan from one year to another with any degree of certainty and that the level of contributions received can never deliver a meaningful budget to provide sufficient funds to take forward the key aims of the partnership with a priority focus on promoting Cheapside as a seven day retail and leisure destination.
4. The CI once again requested clarification from the City Corporation on whether it would be possible to promote a BID for the Cheapside area. The Remembrancer confirmed that following amendments to the BID Regulations, the City Corporation can act as promoter of the BID, with the CI acting as its appointed agent to manage the BID process and delivery of key priorities of the BID, which will align with City Corporation strategies. The Chamberlain has also confirmed that a proposed BID would not impact on the City offset and premium.

5. The CI was advised of this revised position and it was agreed that, on the understanding that it was a City Corporation-promoted BID, which did not relate to the delivery of services that would normally be provided as part of a local authority function, then it would be acceptable for CI to explore options available and undertake consultation with those businesses in the area about the appetite for a formal BID. This was on the understanding that the CI would be the delivery agent on behalf of the City Corporation.

### **What is a BID**

6. A BID is an initiative supported by local businesses and the local authority which aim to improve a specified geographical area. As BIDs have developed in the UK, they have come to be seen as a positive force in promoting business engagement and enhancement of the general economic wellbeing of an area in a way that complements municipal activities. BIDs are principally funded via a mandatory levy on business occupiers which is in addition to the non-domestic business rate, as well as voluntary contributions from local land owners. BIDs vary in terms of their objectives from, for example, increasing visitor and customer numbers, to raising the profile of local businesses.
7. In order to set up a BID in England, BID proposals must pass the 'dual-key test'. Potential members are balloted and, if the majority vote in favour, and if the combined rateable value of those that vote yes is greater than those that vote no, it will be approved. Once approved, all business rate payers in the area must contribute the defined levy. There are normally minimum rateable values thresholds set by BIDs individually, below which businesses do not pay the levy (or have voting rights).

### **Proposed Cheapside BID**

8. The proposed BID boundary (Appendix 1) is focused around Cheapside and falls predominantly within the Wards of Cheap, Cordwainer, Bread Street and Walbrook, and also includes St Paul's Cathedral and the Royal Exchange within the boundary, which means that small parts of the Wards of Cornhill and Castle Baynard are also contained within the footprint. This allows the area to be defined by the institutional anchors of St Paul's Cathedral and the Bank of England, which contribute to the area's unique character. St Paul's Cathedral would not be subject to the BID levy and it would also be possible to exclude the Bank of England from paying the levy if, in due course, this was considered to be appropriate.
9. The CI provided details of the perception analysis to the Policy & Resources Committee and to Members and Alderman of the affected Wards where businesses would be subject to a BID levy, in advance of it being circulated to businesses. The results of the perception analysis informed the view of the Policy & Resources Committee in terms of whether to progress the development of a business plan that would be subject to a formal ballot.
10. The perception analysis received a 40% return rate, considered to be a very high rate of return compared to similar BID areas. The headline finding of the analysis is that in response to the question of whether they would, in principle, support a BID, 46% of respondents answered Yes, 44% answered Maybe, and only 10% answered No. Typically with BIDs, the number of No votes

decreases throughout the process as businesses come to understand the benefits of the BID.

11. If the decision is taken to progress to developing a draft business plan, this will be subject to further consultation with businesses prior to reporting back to the Policy & Resources Committee (in September 2014), at which point formal approval of the plan and agreement to progress to a ballot would be sought.
12. The CI has estimated that a budget of £350,000 would provide a meaningful pot from the levy from which to sustain the activities of a Cheapside BID. This will be supplemented by voluntary contributions from building owners who are not subject to the BID levy. The BID mechanism will provide a guaranteed level of income for 5 years from which to operate.
13. The focus of the BID will not revolve around delivery of improved services such as policing or maintaining the environment, as these are already well provided for by the City Corporation. The BID mechanism would allow CI to develop activities around areas that would not normally be expected to be the focus for local authority activities, so would not be detrimental to the reputation of the City Corporation. The key areas for activities that have been provisionally identified are as follows:
  - developing a marketing and promotion strategy to support the development of Cheapside as an office and retail destination;
  - reinforce area identity and connections between businesses and retailers through initiatives such as the privilege card which requires on-going resource to develop and manage;
  - working with businesses to support their corporate social responsibility agenda, particularly around the areas of local procurement, employment and green infrastructure;
  - holding events and activities to develop footfall and paying for one off projects such as Christmas lighting; and
  - working collaboratively with the City of London Police and Contingency Planning team, within their established budgets, to deliver a safe and secure environment for businesses and retailers.

## **BID Levy**

14. The approach for arriving at an appropriate levy income for an area, although not prescribed in the BID Regulations, tends to be fairly standard for most areas. In essence a BID proposer establishes a set of 'BID Levy Rules' (BLR) that define what level of levy will be collected and from whom. As stated at paragraph 12, the CI estimates that a levy of £350,000 would be appropriate and sufficient to deliver on the aspirations of the BID. To achieve this, an analysis of the 1828 hereditaments in the proposed BID area has been undertaken. In determination of the BLR consideration needed to be given to:
  - the BID levy multiplier – the rate at which to charge. Most BIDs charge a levy of 1%;
  - the threshold setting out the minimum rateable value of the premises before contributions are sought; and

- a capped contribution so that larger businesses will not be liable for a disproportionately large BID levy.
15. In determining the above, it is important to bear in mind that any levy will be the subject of approval through a majority vote at ballot, so any proposal needs to demonstrate best value and be set at a rate that does not discourage businesses from supporting a BID for their area. With this in mind, it is considered that the BLRs should be set as follows:
- BID levy multiplier: 0.25%;
  - minimum rateable value threshold of the premises before contributions are sought: £180,000; and
  - capped contribution: £3,750.
16. It is estimated that this would achieve the necessary income required to support the activities of the BID, and would ensure that the contribution is *de minimis* for businesses in the area. Using the suggested rateable threshold would result in only the largest 220 business hereditaments being affected. Businesses will be formally consulted on this as part of consultation process prior to finalizing the approved Business Plan, and the BLR will be subject to approval by the Policy & Resources Committee.

### **Administrative implications**

17. Part 4 of the Local Government Act 2003 contains the provisions for introducing the BID initiative. The purpose of BID arrangements is to enable the identified projects to be carried out for the benefit of the BID or those who live, work or carry on any activity in the district, financed by a BID levy imposed on non-domestic rate payers, or a class of rate payer in the district. The Remembrancer has clarified that the provisions of the Act would allow for the City Corporation to be the proposer of the BID. If the BID is proposed by the City Corporation, it would be possible for the City to appoint the CI to act as managing agent to oversee project delivery. The CI would be made up of representatives from the levy paying community and will operate as a voluntary partnership. It was suggested that it would be beneficial for a Member to represent the City on the CI, and the Policy & Resources Committee agreed to Alastair Moss (Ward of Cheap) being appointed to represent the City Corporation in this role.
18. All funding generated by the BID will be collected and administered by the City Corporation. A Memorandum of Understanding will need to be entered into between the City Corporation and the CI which will set out the working partnership, roles and responsibilities and legal obligations of the City Corporation acting as BID proposer.
19. The ballot is to be carried out as part of the Returning Officer function of the Town Clerk. The resource implications of this have been costed, based on the experience of other BIDs, at about £10 per vote (with 220 votes anticipated). The charge applied to BID ballots varies between local authorities – Westminster do not charge BIDs with successful ballot outcomes. As the City Corporation would be the proposer of the BID it would not be appropriate to charge for running the ballot. It is therefore recommended that the £2,200 cost

of holding the ballot be approved and funding from the Town Clerk's budget, should a decision be made to hold a ballot.

20. If the City Corporation agrees to promote the BID then the BID timetable will be as follows:
- Perception analysis - completed (summary provided at Appendix A)
  - BID proposal and Draft Business Plan – May/June 2014
  - Consultation on proposals and Draft Plan – June 2014
  - Final amendment - July/ August 2014
  - Formal approval by City Corporation – September 2014
  - Collation of voter contacts Jan 2015
  - Campaign start – Jan 2015
  - Ballot notice sent out – 9<sup>th</sup> Feb 2015
  - Voting papers sent out – 16<sup>th</sup> Feb 2015
  - Ballot date – 12<sup>th</sup> March 2015
  - BID go live date – 5<sup>th</sup> April 2015

### **Pre BID Funding**

21. The CI has costed the activities required to promote the BID that include resourcing 2.5 staff to liaise with both the City Corporation and businesses together with running a number of demonstration projects (Appendix 4). The total costs anticipated are £125,000. Of this, £80,000 will come from CI Member contributions, and the Greater London Authority has confirmed that it will provide a grant of £30,000 from the New BIDs Grant Program.
22. This will leave a £15,000 shortfall on the desired budget required to run a successful BID campaign. The Policy & Resources Committee agrees that a £15,000 contribution by the Corporation (from the City's Cash contingency) for the financial year 2014/15 would be appropriate to support the effective delivery of the program to the ballot stage.
23. If the ballot on the BID is successful, there will be no further need for the City Corporation to provide financial support to the BID, as it would have achieved sustainable funding for a 5 year period.

### **The Way Forward**

24. It is considered that the City Corporation should agree to promote the development of a Business Plan to progress to a formal Ballot in April 2015 and to contribute £15,000 to support the resourcing and development of associated activities. Promoting a BID accords with the strategic aspirations of the Mayor of London to deliver an increased number of BIDs in London and contributing £15,000 towards activities would complement the £30,000 grant funding that has been approved by the GLA. The Business Plan would need to be agreed by the City Corporation and, as stated, it is anticipated that a further report would come back the Policy & Resources Committee in September 2014 seeking formal approval for the ballot to progress. The Business Plan will be in broad alignment with the strategic policies of the City Corporation and will not relate to delivery of services that would be expected to be provided by a local authority.



25. A BID will provide a body that is supportive of the City Corporation in helping to deliver its strategies and a focus for delivering key messages. The BID concept is in tune with the Localism agenda and promotion of the BID by the City Corporation will demonstrate that the City is a relevant area from which to do business. This in turn can help promote a greater diversification of the business base through developing a change in the perception of the City as a place to do business.

### **Proposals**

26. It is proposed that the City Corporation agree to promote the delivery of a BID in the Cheapside area identified in map in Appendix 1 and that the CI be appointed as delivery agents, with a view to drawing up the BID proposals and developing a Business Plan in consultation with businesses for approval by the City Corporation in September 2014, in advance of conducting a Ballot in April 2015. It is further proposed that the City Corporation agrees to contribute £15,000 towards delivering the BID and the associated administrative and promotional activities.

### **Corporate & Strategic Implications**

27. The promotion of a BID accords with the four of the five Key Themes contained in the City Together Strategy. In addition to this, policies contained in the Core Strategy, as amended in the Draft Local Plan, together with the City Visitor Strategy, are relevant.

### **Financial Implications**

28. The total cost of approving the promotion of the BID is in the region of £17,200. This is made up of the £15,000 contribution towards the cost of promoting the bid as set out in paragraph 22, which would be met from the Policy & Resources Committee's City's Cash Contingency. The current balance of this contingency is £194,000 prior to any allowances being made for any other proposals on today's agenda. The remaining financial impact is the estimated £2,200 cost associated with running the ballot as set out in paragraph 19. This will be met from the Electoral Services Team's existing budget. In the event of a "no" vote the cost of setting up the IT infrastructure for collecting the Levy could be passed across to CI, although elsewhere in London other authorities have agreed not to do this.
29. There is not expected to be any financial impact following the ballot, as the BID will be funded by the levy collected.

### **Conclusion**

30. The CI has requested that the City Corporation agree to the promotion of a BID in the Cheapside area. The Remembrancer has confirmed that under the BID regulations that the City Corporation could act as promoter of the BID with the CI acting as its appointed agent to manage the BID process. The CI has undertaken a survey of businesses in the area regarding attitudes to a BID and 90% are either in favour or maybe in favour of a BID in the identified area. The CI would be the appointed agent to deliver the BID on behalf of the City Corporation. With agreement it is intended that the CI consult with

businesses regarding the development of the BID proposals and a Business Plan that will be submitted for formal approval by the City Corporation in advance of a ballot being undertaken in April 2015.

31. Should the City Corporation decide not to support the desire to promote a BID for the area, it could lead to them promoting the BID themselves, removing an element of control from the City Corporation.
32. The costs of administering the BID levy can be recharged by the City Corporation to the BID, although the cost of running the ballot would be picked up by the City Corporation. The CI have estimated that a budget of £125,000 is required for delivering the BID in terms of resourcing and running demonstration projects and the City Corporation is being asked to make a contribution of £15,000 towards these costs to go alongside member contributions and the £30,000 grant from the GLA.
33. The cost of running the ballot, should one be required, is estimated at £2,200, which would be met from the Electoral Services Team's existing budget.

### **Appendices**

- Appendix 1 – Proposed Cheapside BID Boundary
- Appendix 2 – Overview of BID Perception Analysis
- Appendix 3 – Obligations for City Corporation
- Appendix 4 – Budget to deliver the BID

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

DATED this 8th day of May, 2014.

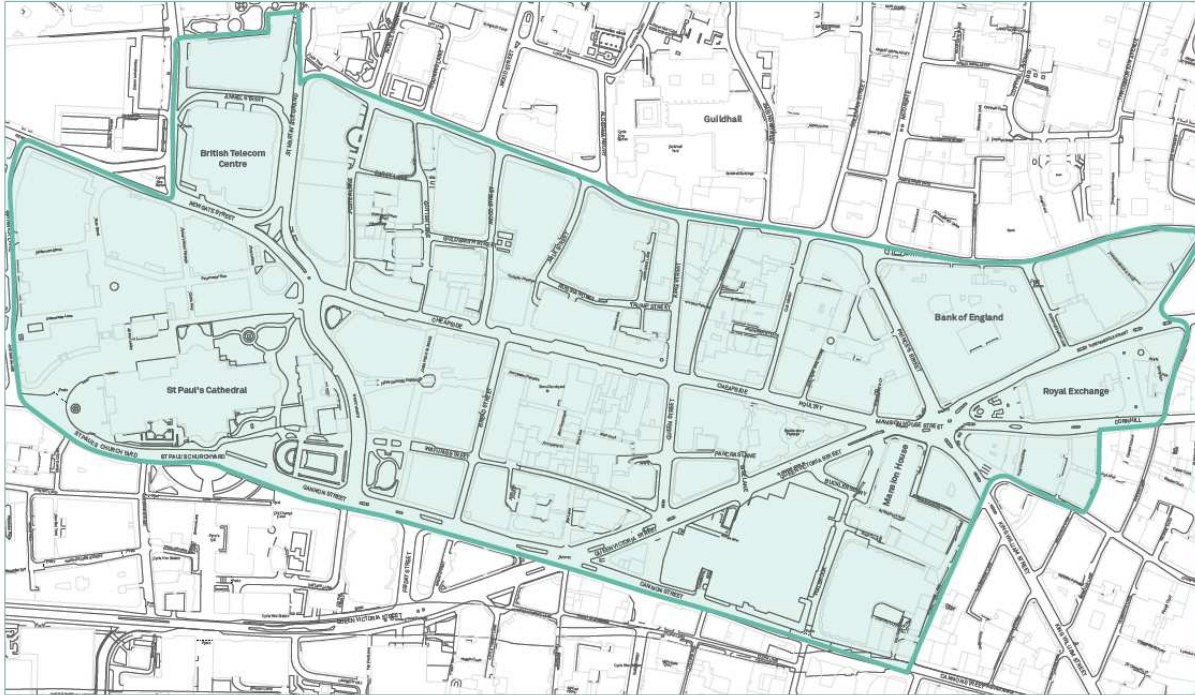
SIGNED on behalf of the Committee.

Mark Boleat,  
Chairman

# Appendix 1 – Proposed Cheapside BID Boundary

CHEAPSIDE

Proposed Cheapside BID boundary



## Appendix 2 – Overview of BID Perception Analysis

- A 40% return rate for the perception analysis was achieved which is considered a very high outcome when compared across similar BID areas;
- Of those responding to whether they would in principle support a BID 46% answered Yes; 44% Maybe; No 10%. A total of 90% of respondents were on board for the BID concept;
- Strategic Themes to be delivered;
  - 42% Employment Enterprise and Training
  - 42% focusing on signage and way-finding
  - 40% Tourism and Culture
  - 41% Marketing and Promotion
- 81% felt the proposed boundary was appropriate;
- 52% felt more could be done in terms of improving the local environment, of which 76% thought this should take the form of improved signage and way-finding. The remaining responses were quite mixed with issues such as street works, skateboarder issues and further enhancements to greening and open spaces being raised;
- Street Ambassadors - 42% wanted to see on street concierge style ambassadors with 39% responding maybe. Therefore 81% would like to discuss and explore a pilot programme;
- 34% feel well informed about new developments or upgrade works. With 96% saying they would wish to be kept updated on an ongoing basis;
- 60% wish to have more contact with their neighbours and would like more networking events;
- 69% would like to see a magazine produced, with 76% wanting a shopping/business guide produced.
- 77% requested more marketing and promotion with a focus on:
  - Encouraging a more mixed retail offer
  - TV advertising and more weekday events and promotional activity such as late night shopping. There was a general consensus about not enough affordable retailers being attracted to the area.
  - Increased walking tours and general cultural information

### **Appendix 3 – Obligations for City Corporation**

Under the Regulations, the City Corporation will have a number of obligations throughout the BID development and ballot phase, which include:

- Where it draws up the BID proposals to prepare the BID business plan which must be consistent with the formally adopted and published policies of the City Corporation and where it decides to seek approval of the proposals in a BID ballot, send copies of the proposals and plan to any person who is to be liable for the levy who requests a copy;
- To instruct the ballot holder to hold a BID ballot in accordance with the BID ballot timetable set out in Schedule 2 of the Regulations; this requires notice to be given at least 42 days in advance of the ballot;
- To prepare a register of the 220 or so NDR (Business ratepayer) electors based on the agreed footprint and thresholds. This will need to be updated on a regular basis with weekly updates made in the preceding weeks prior to ballot to counter balance new businesses moving in or businesses moving out;
- All eligible 'electors' must be sent details of the ballot arrangements;
- Postal ballot papers need to be sent to the electors/proxies and arrangements made for receiving them, until the end of the polling day;
- Arrange the count of ballot papers and declare the result.

## Appendix 4 – Budget to deliver the BID up to March 2015

### Income

|                                     |         |
|-------------------------------------|---------|
| Subscriptions/Partner contributions | £80,000 |
| GLA BID Grant                       | £30,000 |

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**Subtotal** **£110,000**

### Expenditure

#### Staffing costs

Primera Consultancy x 2.5 staff £60,000

#### **Project Costs**

|                            |         |
|----------------------------|---------|
| Business Plan development  | £5,000  |
| Events                     | £20,000 |
| Christmas Campaign         | £10,000 |
| Walks Programme            | £1,000  |
| Ambassador Pilot Programme | £20,000 |
| BID Proposal launch        | £5,000  |
| Privilege Card             | £4,000  |

Total Project costs £65,000

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**Expenditure Total** **£125,000**



**Ward Reception Committee**  
**His Excellency The President of the Republic of Singapore**  
**To be held on Wednesday 22 October 2014**

The Right Honourable the Lord Mayor for the time being,

Of the Aldermen:-

Nicholas Anstee  
Sir Michael Bear  
Dr Andrew Parmley  
Gordon Haines  
Vincent Keaveny  
Peter Estlin

and of the Commoners:-

|                         |                           |
|-------------------------|---------------------------|
| Barbara Newman          | Aldersgate                |
| Deputy Douglas Barrow   | Aldgate                   |
| David Thompson          | Aldgate                   |
| Robert Merrett          | Bassishaw                 |
| Jamie Ingham Clark      | Billingsgate              |
| Deputy Stanley Ginsburg | Bishopsgate Within        |
| Wendy Hyde              | Bishopsgate Without       |
| Deputy Giles Shilson    | Bread Street              |
| Brian Harris            | Bridge and Bridge Without |
| John Scott              | Broad Street              |
| Deputy Stanley Knowles  | Candlewick                |
| Emma Edhem              | Castle Baynard            |

|                                |                               |
|--------------------------------|-------------------------------|
| Henrika Priest                 | Castle Baynard                |
| Nicholas Bensted-Smith         | Cheap                         |
| Deputy Michael Cassidy         | Coleman Street                |
| Mark Boleat                    | Cordwainer                    |
| Deputy the Rev. Stephen Haines | Cornhill                      |
| David Bradshaw                 | Cripplegate Within            |
| Vivienne Littlechild           | Cripplegate Within            |
| Deputy John Tomlinson          | Cripplegate Without           |
| Mark Wheatley                  | Dowgate                       |
| Deputy Richard Regan           | Farringdon Within North Side  |
| Alex Bain-Stewart              | Farringdon Within North Side  |
| Deputy Eskenzi                 | Farringdon Within South Side  |
| George Abrahams                | Farringdon Without North Side |
| Deputy John Absalom            | Farringdon Without North Side |
| Deputy Alex Deane              | Farringdon Without South Side |
| Deputy John Chapman            | Langbourn                     |
| Deputy Robert Howard           | Lime Street                   |
| Deputy Henry Jones             | Portsoken                     |
| William Campbell-Taylor        | Portsoken                     |
| Deputy Alastair King           | Queenhithe                    |
| Marianne Fredericks            | Tower                         |
| James Tumbridge                | Tower                         |
| Tom Hoffman                    | Vintry                        |
| Deputy James Thomson           | Walbrook                      |

together with :-

Deputy John Bennett, the Chief Commoner and Mover of the Motion,  
 Sir David Howard Bt., M.A., D.Sc., the Senior Alderman and the Seconder of the  
 Motion; and  
 Alderman Sir Paul Judge and Adrian Waddingham, the Sheriffs of the City for the  
 time being.

*[Authority is being sought to amend the membership of the Committee if one of those  
 named is unable to serve; such variation being in accordance with the rota]*





## Report – Planning and Transportation Committee Fenchurch Street - Compulsory Purchase Order

*To be presented on Thursday, 12th June 2014*

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

### **Summary**

On 29 April 2014, your Planning and Transportation Committee considered and approved a proposal to make a compulsory purchase order ("CPO") pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 (the "1990 Act"), in order to facilitate the carrying out of development/redevelopment or improvement of land at 10 Fenchurch Avenue, 14 Fenchurch Avenue, 116 Fenchurch Street and 14 Billiter Street, 117 Fenchurch Street, 118/119 Fenchurch Street and 6 Hogarth Court, 120 Fenchurch Street, 4-5 Hogarth Court, London, EC3M shown edged and hatched in black on the site location plan in Appendix 1 (the "Site"). This report seeks the approval of the Court of Common Council to the proposal.

On 30<sup>th</sup> March 2012, the City Corporation granted conditional planning permission to develop the Site under reference 11/00854/FULEIA (the "Development"). The Development was approved because it is in substantial compliance with the development plan policies that relate to it and will provide a significant increase in flexible office and retail space on this site, which would support the financial and business services of the City.

Saxon Land BV (the "Developer") has advised that the provision of the Development in order to meet the requirements of a major international asset manager is now at risk due to its inability to agree terms for disposal with Linville Limited. They are the owner of the leasehold property at 118 to 119 Fenchurch Street (the "Linville Land"). The Linville Land is shown on Appendix 1.

The Developer has advised that it has agreed in principle terms or is in the final stages of agreeing commercial terms with the owners of the freehold interests and various long

leasehold, and that the majority of the other interests (occupational, rights of light and utilities interests) in the Site, are capable of rapid resolution once site assembly of the whole is assured. The Developer entered into an agreement for a pre-let with a major international asset manager on 30<sup>th</sup> April 2014 to secure the commitment of a major occupier to the scheme.

The Linville Land is therefore the key outstanding property interest in respect of which the Developer has been unable to negotiate terms for its acquisition. Certainty is also required that any and all outstanding interests in the Site will have been acquired to enable commencement of the Development to be carried in time to meet the requirements of future occupiers.

The Developer has asked if the City Corporation would be prepared to facilitate the Development by exercising its powers under S226(1)(a) of the 1990 Act to acquire the Site compulsorily, including the Linville Land. The Development is not capable of being brought forward without acquisition of all of the land within the Site.

The acquisition would be on terms that the Developer will indemnify the City Corporation in full for the costs of, and associated with, the compulsory acquisition of the Site and will carry out the Development within a reasonable timescale, with step-in rights in the City Corporation's favour should the Developer be unable to achieve this.

It is considered that compulsory acquisition of the Site would facilitate its development/redevelopment or improvement providing much needed high quality office space to satisfy known demand, additional retail space and contribute to the improvement of the environment by providing a world class mixed use building on the Site, an improved public realm, significant open space and other benefits. Such redevelopment will contribute to the achievement of the promotion or improvement of the economic, social and environmental well-being of the City.

Before exercising its powers under section 226(1)(a) of the 1990 Act, the City Corporation must be satisfied that the inevitable interference with property and other rights, including rights that are protected under the European Convention on Human Rights, is outweighed by the public benefits which will be derived from the Development.

Your Planning and Transportation Committee was satisfied that (subject to prior completion of the indemnity agreement referred to at (d) below):

- (a) The Site shown attached in Appendix 1 be acquired compulsorily for the purpose of facilitating the carrying out of development/redevelopment or improvement through the construction of the Development (or a substantially similar scheme of development);
- (b) It is necessary that the whole Site be acquired compulsorily in order to provide certainty that all and any outstanding interests in the Site will have been acquired at the commencement of the Development (or similar development);
- (c) Acquisition of the Site by the City Corporation under section 226(1)(a) of the 1990 Act and its subsequent disposal to the Developer (or an associated

company) under section 233 of the Town and Country Planning Act 1990 is justified in the public interest;

- (d) the Town Clerk be delegated authority in consultation with the Chairman and Deputy Chairman of the Planning and Transportation Committee to approve the terms on which the acquisition and disposal referred to above are to be made including settling the appropriate terms of the indemnity agreement with the City;
- (e) The making of a Compulsory Purchase Order be recommended to Court of Common Council.

The matter was reported to Policy & Resources Committee on 8<sup>th</sup> May 2014 for information. Following discussion at that Committee, and ongoing correspondence with Linville Limited's (the objector) solicitor, the Developer and Linville have been invited to set out any additional representations and these are annexed as appendices to this report. The Comptroller and City Solicitor remains satisfied, having carefully considered the various criticisms and challenges raised by Linville's solicitors in the additional representations, that the criticisms are not well-founded (some are indeed inaccurate) and that his recommendation to Planning and Transportation Committee and that Committee's recommendation to this Honourable Court are lawful and appropriate. It is considered that the benefits significantly outweigh the interference with rights complained of and that there is therefore a compelling case in the public interest for making the Order.

### **Recommendation**

We **recommend** that Members of Court of Common Council concur with the resolution and recommendation of Planning and Transportation Committee and authorise the making of a Compulsory Purchase Order in respect of all interests in the Site.

## **MAIN REPORT**

### **Background**

1. This report seeks your approval to the making of a compulsory purchase order pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 (the "1990 Act"), in order to facilitate the carrying out of development/redevelopment or improvement of land at 10 Fenchurch Avenue, 14 Fenchurch Avenue, 116 Fenchurch Street and 14 Billiter Street, 117 Fenchurch Street, 118/119 Fenchurch Street and 6 Hogarth Court, 120 Fenchurch Street, 4-5 Hogarth Court, London, EC3M shown edged and hatched in black on the plan in Appendix 1 (the "Site").
2. On 20<sup>th</sup> March 2012, the Planning and Transportation Committee resolved to grant conditional planning permission to develop the Site under reference 11/00854/FULEIA. The Permission was issued on 30<sup>th</sup> March 2012 and an agreement under section 106 of the Act was entered into on the same day. The Development is for demolition of existing structures on the Site and redevelopment to provide a mixed use building of 15 storeys, plus mezzanine, lower ground, two basements and a publicly accessible roof garden, to provide Class B1 office use and Class A retail uses including a

restaurant at 14th floor level, together with associated public space and landscaping, motorcycle, car and bicycle parking, servicing and plant accommodation (62,643sq.m). The Development was approved because it is in substantial compliance with the development plan policies that relate to it (namely the London Plan, the Unitary Development Plan and the Core Strategy) and in particular it supports the strategic objective of promoting the City as the leading international financial and business centre. The Development will provide a significant increase in flexible office and retail space on this Site, which would support the financial and business services of the City.

3. The Site comprises 0.42 ha (1.05 acre) of land in the heart of the financial district and the EC3 insurance district, currently occupied by a number of dated low rise buildings comprising some 14,825 sq.m. NIA of offices and retail accommodation. The Site is bounded by Fenchurch Street to the south, Fenchurch Avenue to the north, Billiter Street to the east and Fen Court to the west. The present buildings on the Site are unsuited to the current office market for the kinds of occupiers the City Corporation seeks to attract because the buildings have reached the end of their physical and economic life, with outmoded specification and have small irregular floorplates which do not meet current day requirements.
4. The Site is in the following freehold ownership: 54% is owned by the Developer, 42% by the Clothworkers and 4% by the City Corporation.
5. There are very few development sites capable of accommodating buildings of the scale and quality proposed by the Development in the City's core, and which can be completed during 2017. Indeed the only other development within EC3 of this scale, which is planned for delivery within a similar timescale, is 52-54 Lime Street (for which the City Corporation has also granted planning permission); but this will have smaller floors than the Development and will be partly occupied by the owner of the site (WR Berkley).
6. The Developer has demonstrated the unique opportunity presented by this Site by agreeing a pre-let with a major international asset manager to lease a significant proportion of the Development on completion. The major international asset manager fits the profile of the kind of businesses the City Corporation wishes to attract to it as a world financial hub. The combination of building design, size and location which could be provided by the Development would make it attractive to potential tenants and it would make a significant contribution to the stock of prime commercial property in the City of London. The Developer and a major international asset manager entered into an agreement for lease on or about 30<sup>th</sup> April 2014. The major international asset manager requires agreement to be reached in order to be able to secure space in the Development by 2017 and demolition on the Site will need to take place within a reasonable timescale in order to achieve this.
7. The Developer has been in negotiations with the owners of the freehold interests and various long leasehold interests in the Site. It has made reasonable progress with these owners, including negotiating terms to relocate one occupier (NatWest Bank) within the Development during construction. The City Corporation is advised that the Developer fully expects to reach final settlement with the owners of these freehold and leasehold

interests in accordance with its site assembly requirements. It has presently entered into option agreements or agreed commercial terms with Clothworkers, Young & Co Brewery plc, Davy's, NatWest and the City Corporation.

8. Rights of Light issues are raised by the Development, and the Developer has agreed terms (but not yet executed final documents) with six neighbouring landowners (one of whom is the City Corporation) to the Site to settle various potential Rights of Light claims. Discussions with these landowners are advanced and it is expected that final documents will be executed in accordance with the Developer's site assembly requirements. A further nearby landowner has been identified as having a potential Rights of Light claim and the Developer has indicated that it has approached the landowner to open discussions.
9. There are a large number of occupational interests in the Site and the City Corporation has been informed that those interests are largely held on the basis that they can be terminated by the Developer on three or six months' notice (one interest, Davy's, requires longer (11 months' notice) but is subject to agreed terms with the Developer), the Linville (and related) interests are referred to below) and that once site assembly in relation to the freehold and long leasehold interests has been realised, the Developer will terminate those occupational interests so as to enable the Development to proceed.
10. There are various utilities with interests in the Site, and further details on these are contained in the Non-public report on your Agenda.
11. The Developer has advised that the timing for commencement of the Development is now at risk due to its inability to agree terms for disposal with Linville Limited. Linville Limited is the owner of the leasehold property at 118 to 119 Fenchurch Street under an Underlease dated 28th October 1957 for a term of 99 years from 29th September 1953 as Registered under title number LN158383 (the "Linville Land").
12. The City Corporation has been informed that the Linville Land is the key outstanding property interest in respect of which the Developer has been unable to negotiate any form of terms for its acquisition. Linville Limited occupies its building under an underlease for an unexpired term of 38 years and 6 months from the Clothworkers. The Linville Land comprises a purpose built office and a public house built on basement, ground and five upper floors, totalling approximately 684m<sup>2</sup>. It occupies a small (but crucial) part of the Site by area (5%) and is situated on the southern side of the Site fronting Fenchurch Street.
13. The Linville Land is located in a key part of the southwest quadrant of the consented scheme. The Development requires all of the buildings on the Site to be demolished. Without the Linville Land, any development of the Site would be smaller, providing less new floorspace overall, and could not provide the large regular floorplates of the type presently demanded by the market and in particular by the kind of large scale businesses of the type the City Corporation wishes to attract, such as the major international asset manager. There is a real risk that without an early resolution to this site assembly issue the opportunity to secure the major international asset manager's occupation of the Site will be in jeopardy. The Development as

envisaged cannot therefore proceed within the current site assembly timetable without the Linville Land.

14. Linville Limited is not opposed to the Development nor to its land being acquired, but disputes the sums so far offered to acquire that interest. The City Corporation has obtained its own independent valuation advice on the appropriate range of prices that a developer of the Site might be expected to pay to acquire Linville Limited's leasehold interest in the Property following open market negotiations between willing participants (so as to enable the Development, or equivalent development, to be carried out and in order to assist the City Corporation's consideration whether it is appropriate to make a compulsory purchase order in respect of the Site.) The independent valuation indicates that an offer made to Linville is within the appropriate range and that the sum sought is about twice the appropriate range. Further information is contained in the Non-public report on your Agenda.
15. The Linville Land is needed in order for the Development to be carried out and the Development cannot proceed unless it is acquired. Certainty is however also required that all and any outstanding interests in the Site will have been acquired to enable commencement of development. The report to your Planning and Transportation Committee did not refer to an interest recently created by Linville Limited (31<sup>st</sup> January 2014) of a sublease of its third floor to a related company, Alumina Limited, (which has shared directors with Linville). The creation of this interest is not believed to be of significance to the decision before Members, however, officers confirm that this interest has been created. For completeness, officers also note that Alumina has recently created a further sublease to company called Exsus Travel Limited (31<sup>st</sup> January 2014), similarly with shared directors with Linville. Both interests are for a period of some eight years. The directors of Alumina and Exsus (being shared) are aware of the proposed making of the Compulsory Purchase Order and the matters highlighted in this report as to the considerations material to the decision are the same for both of these interests, as for any other interests in the Site. The effect of the Compulsory Purchase Order if made and confirmed would be to ensure that these interests in the Site will have been acquired to enable commencement of the development.
16. As set out in the City Corporation Planning Officer's report to the Planning and Transportation Committee dated 20<sup>th</sup> March 2012, the proposed Development was considered to be in compliance with the policies that related to it and in particular supported the strategic objective of the City Corporation to promote the City as the leading international financial and business centre. The Development would provide a significant increase in flexible office space (155% – 35,104 sq.m including plant and ancillary) and retail space (4,857 sq.m) on the only development site in this area of the City capable of accommodating buildings with such large floor plates and capable of being completed in 2017. This substantial increase in high quality floorspace would provide significant employment opportunities both during construction and post completion. It offers the redevelopment of outdated buildings on an underutilised brownfield site and would provide a world class mixed use building (as evidenced by the Development winning the Future Projects - Office category at the World Architecture Festival in 2012) adding to the City's stock of prime commercial property. It would provide public

- realm improvements, public amenity space additional retail provision and other benefits.
17. The City Corporation considers that the whole of the Site is required to deliver this Development (or similar development) and that the Development is not capable of being brought forward without all of the land within the Site. Although the negotiations undertaken by the Developer are far advanced, there is no certainty that all the outstanding interests can be acquired by negotiation in order to secure the major international asset manager's commitment to pre-let space in the Development, and therefore the CPO is necessary to ensure the delivery of the proposed Development (or similar development) within the timescale required to achieve the major international asset manager pre-let.
  18. The Developer has asked if the City Corporation would be prepared to facilitate the Development by exercising its powers under S226(1)(a) of the 1990 Act to acquire the Site compulsorily, including the Linville Land. The City Corporation considers that the whole Site is required to deliver the Development (or similar development) and the Development is not capable of being brought forward without all of the land within the Site. Acquiring the whole Site by means of compulsory purchase would provide the Developer with certainty that, provided the Order is confirmed, all the interests necessary for the Development to proceed (not just the Linville Land) will have been acquired by the commencement of the Development and that it will therefore have vacant possession of the whole Site at the commencement date.
  19. It is considered that the Development is in accord with, and would further key objectives of, both the Mayor of London's and the City Corporation's planning policies. The compulsory acquisition of the Site will facilitate its development/redevelopment or improvement through the carrying out of the Development (or similar development), which will provide much needed high quality office space to satisfy known demand, and specifically, for the purposes of securing space for the major international asset manager within the required timescales; provide additional retail space and contribute to the improvement of the environment by providing a world class mixed use building on the Site; an improved public realm; significant open space, and other benefits.
  20. Before exercising its powers under section 226(1)(a) of the 1990 Act, the City Corporation must be satisfied that the inevitable interference with property and other rights, including rights that are protected under the European Convention on Human Rights, which will result from the proposed exercise of powers of compulsory acquisition, is outweighed by the public benefits which will be derived from the Development. It is considered that the benefits significantly outweigh the interference with others' rights in this case, and that there is therefore a compelling case in the public interest for making the Order.
  21. The City Corporation has been assured that, save in respect of Linville Limited's interest, there are unlikely to be substantial objections to the scheme.
  22. It should be noted that Linville Limited would be entitled to object to the confirmation of the Order and in the event of objection a public inquiry would

need to be held to consider the objection and in advance of any confirmation of the order by the Secretary of State. This would have an impact on the timescales.

### **Considerations:**

#### **Acquisition for Planning Purposes**

23. Pursuant to section 226 of the 1990 Act the City Corporation may acquire compulsorily any land in its area:
  - s226(1)(a): if it thinks that the acquisition will facilitate the carrying out of development/re-development or improvement on or in relation to the land; or
  - s226(1)(b): where it is required for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated.
24. It is considered that the more appropriate power to use in the present case is s226(1)(a).
25. Before exercising this power, the City Corporation must think that the development, re-development or improvement proposed is likely to contribute to the achievement of certain objects, namely the promotion or improvement of the economic, social or environmental well-being of their area: s226(1A).
26. Circular 06/2004: *Compulsory Purchase and the Crichel Down Rules* (the "Circular") gives advice on the approach that should be taken, and the matters that should be considered, when a local authority and the Secretary of State are deciding whether to make or confirm a compulsory purchase order ("CPO"). The main points are:
  - i) Before embarking on compulsory purchase and throughout the CPO preparation and procedural stages, the City Corporation should seek to acquire land by negotiation wherever practical. Compulsory acquisition is intended as a last resort where attempts to acquire land by agreement have failed, although it may often be sensible for formal CPO procedures to be initiated in parallel with continuing negotiations; There should be clear evidence that the public benefit from making the CPO will outweigh the private loss. A CPO must only be made where there is a compelling case in the public interest;
  - ii) The City Corporation should be sure that the purposes for which it is making the CPO sufficiently justify interfering with the affected human rights of those with an interest in the land;
  - iii) It will be difficult to show that the making of the CPO is justified in the public interest if the City Corporation does not have a clear idea of how the land acquired will be used and cannot show that the necessary resources are likely to be available to achieve that end use within a reasonable timeframe;
  - iv) The City Corporation should be satisfied that there is a reasonable prospect of the Development going ahead, and that its implementation is unlikely to be blocked by financial, physical, legal, planning or other impediments;
  - v) When considering whether to confirm the order the Secretary of State will consider the following (amongst other) factors:



- whether the purpose for which the land is being acquired fits in with the adopted planning framework for the area;
  - the extent to which that purpose will contribute to the s226(1A) objects;
  - the financial viability of the scheme for which the land is being acquired – “A general indication of funding intentions, and of any commitments from third parties, will usually suffice to reassure the Secretary of State that there is a reasonable prospect that the scheme will proceed”;
  - whether the purpose for which the City Corporation is proposing to acquire the land could be achieved by any other means.
27. It should be noted that it is immaterial by whom any activity or purpose mentioned in s226(1) is to be undertaken or achieved. There is no need therefore for the City Corporation to undertake that activity or to achieve that purpose itself (s226(4)).

### **Indemnity**

The Developer has agreed to indemnify the City Corporation in full for the costs of and associated with the compulsory acquisition of the Site and the indemnity would need to be on terms that the Developer undertakes to:

- enter into the pre-let with the major international asset manager;
- carry out the Development within a reasonable timescale, and
- in default of the Development being carried out by the Developer, the City Corporation could itself acquire the Site pursuant to the Compulsory Purchase Order in order to secure its implementation, or implementation of a similar scheme.

The acquisition would be on terms that, following acquisition, the City Corporation will dispose of the Site to the Developer (or other agreed party) for the planning purposes of securing the Development (or for similar development) (other than where the City Corporation itself secures the Development in default).

### **Public Interest/Planning framework**

28. The Developer and Linville Limited have been in negotiations for the Developer to acquire the Linville Land for some time. The City has also urged Linville Limited to settle the consideration for its interest through alternative disputes resolution This has not been taken up as Linville Limited relies on its own valuation. Further information regarding negotiations is contained in the Non-public report on your Agenda.
29. It is therefore considered that without the City Corporation’s intervention, the Development, will not be achieved within a reasonable timescale. In particular, City Corporation has been informed that if the Development is not commenced in time to provide office accommodation in 2017, the opportunity to secure the major international asset manager as an occupier will be lost.
30. While agreement has been reached (or substantially reached) in relation to the owners of other affected interests, it is considered appropriate in all the circumstances of the case to make a CPO in relation to the whole Site to ensure single ownership and achieving delivery of the Development by 2017.
31. Both the City Corporation and the Developer still wish to achieve acquisition of the Site by private treaty, and the Developer will continue negotiations with

Linville Limited and the owners of other affected interests throughout the CPO process.

32. The consented scheme would provide a significant amount of new, high quality floorspace with an increase of 155% over the current provision. The existing buildings have reached the end of their physical and economic life, with outmoded specification and small irregular floorplates which do not meet current day requirements. It would also provide a significant number of jobs, both pre and post completion. During the construction phase it is anticipated that 429 construction jobs will be created. Post-construction, the Development is expected to generate 3,183 jobs once operational – a net increase of 2,319<sup>1</sup> jobs. It would provide new retail space of some 4,857 sq.m GEA and substantial public realm improvements including publically accessible roof space/garden. The roof garden is a significant new amenity provided for the public in this part of the city, where employment numbers are increasing significantly and where opportunities to create open and green space are limited. Its provision for the public was an important consideration in balancing the benefits of the Development to the city. New public highways will also be provided through the Development fronted by retail units. Financial contributions of £1,290,470 will be made towards local community facilities and the environment and £129,047 will be paid towards training, jobs brokerage and skills. The Development is therefore considered to be in substantial compliance with the Plan policies that relate to it, and in particular, supports the strategic objective of the City Corporation to promote the city as the world's leading international financial and business centre.

33. The most relevant planning policies are:

i) **The London Plan:**

**Policy 2.10: (Central Activities Zone)** – Strategic Priorities sets out the following strategic priorities for the CAZ:

(a) *Enhance and promote the unique international, national and London-wide roles of the CAZ, supporting the distinct offer of the Zone based on a rich mix of local as well as strategic uses and forming the globally iconic core of one of the world's most attractive and competitive business locations.*

(b) *In appropriate quarters bring forward development capacity and supporting infrastructure and services to sustain and enhance the CAZ's varied strategic functions without compromising the attractions of residential neighbourhoods where local uses predominate.*

(c) *Sustain and enhance the City of London (and, although formally outside the CAZ (see para. 2.55 of the London Plan), the Isle of Dogs) as a strategically important, globally-oriented financial and business services centre.*

**Policy 4.1: (Developing London's Economy)** states that the Mayor will work with partners to:

(a) *Promote and enable the continued development of a strong, sustainable and increasingly diverse economy across all parts of London, ensuring the availability of sufficient and suitable workspaces in terms of*

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<sup>1</sup> From the planning application - the Environmental Statement stated that the Development would generate 3,183 jobs and the Transport Assessment stated that the current site is home to 864 jobs. Hence a net increase of 2,319 jobs.

*type, size and cost, supporting infrastructure and suitable environments for larger employers and small and medium sized enterprises; and*

*(d) Support and promote the distinctive and crucial contribution to London's economic success made by central London and its specialist clusters of economic activity; and*

*(g) Promote London as a suitable location for European and other international agencies and businesses.*

**Policy 4.2 (Offices)** states that stakeholders should:

*support the redevelopment of office provision to improve London's competitiveness, and recognise and address strategic as well as local differences in meeting this policy to meet the distinct needs of the central London office market including by sustaining and developing the dynamic clusters of "world city" and other specialist functions and business environments, should encourage the renewal and modernisation of the existing office stock in viable locations to improve its quality and flexibility, and seek increases in the current stock where there is local evidence of sustained demand for office based activities in the context of offices.*

ii) **The City of London Core Strategy:**

*Strategic Objective 1 – To maintain the City's position as the world's leading international financial and business centre*

**Policy CS1** - *To ensure the City of London provides additional office development of the highest quality to meet demand from long term employment growth and strengthen the beneficial cluster of activities found in and near the City that contribute to London's role as the world's leading international financial and business centre, by:*

*(i). Increasing the City's office floorspace stock by 1,500,000 m2 gross during the period 2006 – 2026 to meet the needs of projected long term economic and employment growth, phased as follows:*

*2006 – 2011: 750,000 m2*

*2011 – 2016: 250,000 m2*

*2016 – 2021: 250,000 m2*

*2021 – 2026: 250,000 m2*

*A pipeline of at least 750,000 m2 gross office floorspace with planning permission but not yet commenced will be maintained to provide office occupier choice.*

*(ii). Encouraging the assembly and development of large sites, where appropriate, to meet the accommodation needs of the City's biggest occupiers, protecting potential large office sites from piecemeal development and resisting development that would jeopardise the future assembly and delivery of large sites.*

*(iii) Encouraging the supply of a range of high quality office accommodation to meet the varied needs of City office occupiers.*

*(iv) Promoting inward investment and encouraging developers and businesses to invest and locate in the City.*

*(v) Managing short-term over supply in the office market through a flexible approach to alternative temporary uses for vacant offices and sites, where such uses would not prejudice the eventual return of the site to office use.*

Under Policy CS1: "Who will Deliver – how will we make it happen" it is stated that "the City may use development management, **compulsory**

- purchase powers**, land ownership and joint working with developers to assist in site assembly, where appropriate....”
34. Draft Policy DM1.3 in the City Corporation’s proposed Local Plan seeks to protect accommodation suitable for small and medium sized businesses. Draft Policy DM1.3 aims:
- To promote small and medium sized businesses in the City by encouraging:*
- *new accommodation suitable for small and medium sized businesses or occupiers;*
  - *office designs which are flexible and adaptable to allow for sub-division to create small and medium sized business units;*
  - *continued use of existing small and medium sized units which meet occupier needs.*
35. Consideration is to be given to the fact that the proposal would lead to the loss of such accommodation and replace the same with a new large floor plate office scheme. The report to the Planning and Transportation Committee of 20<sup>th</sup> March 2012 pre-dated DM1.3 and the issue was not considered at that time. Notwithstanding Draft Policy DM1.3, this Site, located as it is in the eastern cluster and in the heart of the insurance sector which has been identified as suitable for tall buildings, is one where the (limited) opportunity for new high quality large floorplates should be exploited in the interests of Policy CS1, and Draft Policy DM1.3 should be given more weight in other parts of the City. It is therefore considered to be in the public interest to make the CPO, notwithstanding the loss of smaller lower grade office units.
36. In the light of the above policies, the key public benefits of the Development which need to be weighed against the private loss, including interference with the human rights of those with an interest in the land affected, which will be caused by the compulsory acquisition of the Site are that:
- i) it replaces outdated offices with world class high quality modern attractive office space offering state of the art accommodation of the highest institutional standard;
  - ii) it provides a net floor area of internal accommodation of some 39,704 sq.m. (nearly 3 times more than the existing) and comprised of regular flexible floorspace on large floorplates of the type strongly favoured by business and financial service users. It includes floor areas of up to 2,800 sq. m per floor. Floor plates of this size are in demand and are hard to find in the City;
  - iii) it has secured a pre-let by a significant occupier of the space (a major international asset manager) which is exactly the type of entrant the City’s policies seek to attract;
  - iv) better and more efficient use will be made of a significantly under-utilised site;
  - v) it will generate 3,183 jobs - a net increase of 2,319 employees than are currently accommodated in the existing buildings, or could be – making it suitable for a major occupier and/or other users;
  - vi) the Permission is accompanied by an appropriate package of planning obligations, which includes significant contributions to Crossrail £2,307,446, local community facilities and the environment of £1,290,470, local job training skills and job brokerage payments of £129,047, and enhancements

to the street environment, as set out in the Planning Committee Report dated 20<sup>th</sup> March 2012 and Section 106 Agreement dated 30<sup>th</sup> March 2012. If the Development does not proceed, the benefits identified above will not be delivered.

*Justified Interference with rights*

37. The Development would involve interference with property and other rights, including those protected by the European Convention on Human Rights. A CPO should not be made unless the interference is proportionate to, and is outweighed by, the public benefits to be achieved. The criteria are therefore examined below.
38. In this context, the following matters need to be taken into account:-
- i) Whether compulsory purchase will facilitate the carrying out of the Development, and whether there are any other means to achieve this;
  - ii) Whether interference with property rights is necessary in order to allow the Development to be carried out and, in particular, whether agreement can be reached for the release of those rights and on what terms;
  - iii) Whether the benefits of the Development could be achieved without giving rise to all or some of the interference;
  - iv) Whether the Development will contribute to one or more of the objects of promoting or improving the economic, social or environmental well-being of the area;
  - v) Whether the public benefits arising from the CPO are proportionate to the interference with private rights, and in particular to any interference with rights guaranteed by the European Convention on Human Rights ("Convention Rights");
39. These five matters are addressed below.
- (i) Whether compulsory purchase will facilitate the carrying out of the Development, and whether there are any other means to achieve this*
40. The Site has planning permission for redevelopment. The Developer has access to sufficient resources to carry this out, and intends to commence demolition this year and commence build in early to mid-2015, provided that the Site can be assembled in time to allow this to happen. At the present time, the only means of achieving certainty in terms of the timing and delivery of the Development is if the City Corporation makes a CPO. If the CPO is confirmed, the City Corporation will dispose of the Site to the Developer to carry out the Development, however the City proposes that the making of the CPO be on terms that the Developer carry out the Development within a reasonable timescale, and grant the City step-in rights should it be unable to achieve this.
41. Full funding for both the Development and the CPO will be provided by the Developer, which is a wholly owned subsidiary of The Generali Group. The Generali Group is one of the largest global insurance providers with a 2013 total premium income of €66 billion. With 77,000 employees worldwide serving 65 million clients in more than 60 countries, the Group occupies a leadership position on West European markets and an increasingly important place in markets in Central Eastern Europe and Asia.

42. The Developer has concluded an agreement for a pre-let with a major international asset manager for the Development, but requires certainty that all of the relevant interests in the Site can be acquired so that the Development can take place. The protracted negotiations to acquire Linville Limited's rights have not resulted in the parties reaching terms, and this now jeopardises the whole Development and its timescales. Compulsory acquisition of the Site will therefore clearly facilitate the carrying out of the Development.
43. The anticipated programme for the Development is for demolition to commence immediately the outstanding acquisition issues have been resolved with a target date for completion to shell and core at the end of September 2017.
44. Unless the City Corporation exercises its powers of compulsory acquisition, therefore, the Development will not be able to proceed within the timescale required in order to provide office accommodation in 2017 and thereby provide premises for the pre-let. Negotiations with a view to completing acquisition of all the necessary interests by agreement, including with Linville Ltd, will continue, but (as the Circular advises may be appropriate) officers consider that the formal CPO procedures should be initiated in parallel with negotiations, not only in order to secure the carrying out of the Development within a more certain timescale but also to encourage those affected "to enter more readily into meaningful negotiations".

*ii) Whether interference with property rights is necessary in order to allow the Development to be carried out and, in particular, whether agreement can be reached for the release of those rights and on what terms;*

*iii) Whether the benefits of the Development could be achieved without giving rise to all or some of the interference;*

45. It is clear that it would not be possible to carry out the Development without the acquisition of the Linville Land, which is located in the southwest quadrant of the site. The Development in fact requires demolition of all of the existing buildings on the Site, and therefore the acquisition of all of the interests included in the draft CPO.
46. Furthermore, were the Development to be reduced in scale by excluding the Linville (or other) land, a significant amount of floorspace would be lost and it would not be possible to achieve the large floorplates which are a key feature of the Development.
47. Interference with property rights is therefore necessary in order to facilitate the carrying out of the Development. It is not possible to redesign the Development so as to reduce or avoid the interference to any appreciable extent.
48. Aside from Linville, in principle agreements have been reached as detailed above and are close to being finalised, with all those with an interest in the affected properties for the acquisition of their interests. Interference with their property rights has therefore been sanctioned through the agreement of the relevant owners.
49. The City Corporation is advised that the occupational interests are largely on terms that the interests can be determined on 3 or 6 months' notice, and accordingly it is not considered that the making of a CPO is likely to lead to

any, or any significant, interference with the property rights of the owners of these interests.

50. Given the advice of the City's independent valuer, it is considered that reasonable attempts to reach agreement with Linville have been made. Officers have reviewed the course of negotiations and are of the view that the offers made by the Developer (including the offers to settle appropriate consideration for acquisition by ADR) are reasonable and appropriate in the circumstances, being based on a significant uplift in existing use value. The powers of compulsory acquisition under section 226(1)(a) are therefore being exercised as a last resort as it has not been possible for the Developer to reach agreement with Linville Limited and is therefore not able to carry out the Development for which planning permission has been granted. The Developer will continue to negotiate for the acquisition of Linville's interest by private treaty after any CPO has been made.

*(iv) Whether the Development will contribute to one or more of the objects of promoting or improving the economic, social or environmental well-being of the area;*

51. The use of section 226(1)(a) powers will facilitate the carrying out of the Development, and this will contribute to:
- i) the promotion and improvement of the economic well-being of the city as a whole, through the provision of new offices, significant employment generation and retail provision, likely occupation by a major financial institution, and by providing jobs during the construction phase;
  - ii) the promotion and improvement of the environmental and social well-being of this part of the city, through the proposed improvements to the public realm and provision of open space, the productive use of an underutilised brownfield site, and the securing of other benefits including the enhancement of the streetscape of this part of the city.

*(v) Whether the public benefits arising from the CPO are proportionate to the interference with private rights, and in particular to any interference with rights guaranteed by the European Convention on Human Rights ("Convention Rights");*

52. The Circular advises that compulsory acquisition under section 226 of the 1990 Act, which has the effect of infringing convention rights:
- "... should only be made where there is a compelling case in the public interest. An acquiring authority should be sure that the purposes sufficiently justify ... interfering with the human rights of those with interests in the land affected...."*

53. The Human Rights Act 1998 obliges the City Corporation to act in a way that is compatible with rights conferred by the European Convention on Human Rights (ECHR). Article 1 of the First Protocol of the ECHR provides that every natural or legal person is entitled to peaceful enjoyment of their possessions. Acquisition of interests in land through the exercise of powers of compulsory acquisition necessarily involves interference with a person's rights under this Article. Corporate bodies as well as individuals are entitled to the protection conferred by Article 1 of the First Protocol.

54. The right to peaceful enjoyment of possessions under this Article is a qualified rather than an absolute right. The wording of Article 1 of the First Protocol permits the deprivation of an individual's possessions where it is in the public interest and subject to conditions provided for by law.
55. There is therefore a balancing exercise to be undertaken between the public interest and a person's rights, so that any interference in a person's rights must be necessary and proportionate. "Proportionate" in this context means that the interference must be no more than is necessary to achieve the identified legitimate aim. A "fair balance" must be struck between the rights of the individual and the rights of the public. It is for Members to consider the issues raised in this report and to strike that "fair balance" in coming to a decision.
56. In the present case, it is considered that the public interest in facilitating the Development within a reasonable timescale, and in facilitating occupation by a significant occupier which falls within the category of businesses which the relevant planning and other policies seek to support, outweighs the interference with the rights of those affected by the CPO to peaceful enjoyment of their possessions, and that the proposed exercise of section 226(1)(a) powers amounts to a proportionate interference in all the circumstances. The availability of statutory compensation to those who are deprived of their possessions is also of relevance to the issue of proportionality. Were the outstanding interests not to be acquired by private treaty so that the City Corporation has to proceed to acquire the interests concerned, compensation would be payable to the owners of those interests in accordance with the compensation code.

#### **Financial Implications**

57. The Developer has agreed to be responsible for any costs, expenses and compensation liabilities incurred in connection with the compulsory purchase and the subsequent Development. Further the Developer will enter into an indemnity agreement with the City Corporation in respect of costs arising in connection with the CPO.

#### **Legal Implications**

58. All legal implications are included in the body of the report.

#### **Consultation**

59. The City Corporation has been in correspondence with Linville Limited regarding the CPO proposal and in summary Linville Limited has made representations that it considers the use of CPO powers to be disproportionate and premature in the light of the negotiations which have taken place. Further information about this is contained in the Non-public report on your Agenda.
60. Your officers do not believe the use of CPO powers to be disproportionate or premature - the public interest in facilitating the Development within a reasonable timescale, and in facilitating occupation by a significant occupier, which the relevant planning and other policies seek to support, justifies the proposed exercise of section 226(1)(a) powers and is proportionate in all the circumstances; the figure sought by Linville Limited is not within a reasonable



range as advised by the City Corporation's valuer; the City Corporation is satisfied that a CPO is justified in this case; Linville Limited will be able to object and be heard on the issue of confirmation and negotiations between Linville Limited, the Developer and the City Corporation will continue throughout the process in order to seek to achieve acquisition of the interest by private treaty.

61. The other parties with interests likely to be significantly affected by any CPO have been made aware of the proposal.
62. Those parties who hold occupational leases or enjoy Rights of Light over the Development Site have not been given specific notification of the proposals by the City Corporation, however this report is available for them to consider. In the case of occupational tenants it is understood that their interests can be terminated on short notice and it is therefore unlikely that they would be significantly affected by any CPO. As regards Rights of Light, these would only be over-ridden in the event of acquisition of the whole site by the City pursuant to the proposed CPO.
63. All parties with qualifying interests would have to be served with Notice of Making of the CPO and would have an opportunity to object at that stage.
64. The matter was reported to Planning and Transportation Committee on 29<sup>th</sup> April 2014, which Committee was satisfied that (subject to prior completion of an indemnity agreement) the Site shown attached in Appendix 1 be acquired compulsorily for the purpose of facilitating the carrying out of development/redevelopment or improvement through the construction of the Development (or a substantially similar scheme of development), and in order to provide certainty that all and any outstanding interests in the Site will have been acquired as at the commencement of the Development (or similar development). The Committee recommended the making of a Compulsory Purchase Order to Court of Common Council.
65. The matter was reported to Policy & Resources Committee on 8<sup>th</sup> May 2014 for information. Following discussion at that Committee and ongoing correspondence with the objector's solicitor, additional representations from the Developer and Linville have been annexed as appendices to this report. It is not proposed to detail in the body of this report the various letters to the City and the City's responses. All the correspondence is available to Members by request to the Comptroller and City Solicitor. However, as regards points made by the objector's solicitors about the conduct of officers in processing this matter, the following corrections should be noted:
  - i) It is said that officers have refused to allow the objector's solicitor's various correspondence to be put before Members because officers wish to 'dilute' the points and fear Members may agree with them. This is not the case. There has been numerous correspondence with Linville's solicitors. It is common practice to distil correspondence for the benefit of Members. Any other approach would render the administration of a local authority impractical and unworkable. The Comptroller and City Solicitor's reference to Linville's correspondence is recorded in the minutes of 29<sup>th</sup> April Planning and Transportation Committee, Linville's Counsel made his own representations to that Committee and the opportunity to make any additional points has been taken up by both parties;.

- ii) It is said that Draft Policy DM1.3 was not mentioned to the Planning and Transportation Committee (draft Policy DM1.3 encourages “continued use of small and medium sized units”). The Comptroller and City Solicitor specifically referred to this Policy, as recorded in the minutes of the 29<sup>th</sup> April Committee meeting.
66. The Comptroller and City Solicitor remains satisfied, having carefully considered the various criticisms and challenges raised by Linville’s solicitors in the additional representations, that the criticisms are not well-founded and that his recommendation to Planning and Transportation Committee and that Committee’s recommendation to this Honourable Court are lawful and appropriate. It is considered that the benefits of the proposal significantly outweigh the interference with rights complained of and that there is therefore a compelling case in the public interest for the making of the Order.

### **Conclusions**

67. It is considered that the making of a CPO in order to facilitate the development/redevelopment or improvement of the Site should be approved on the following basis:-
- The existing Site buildings are outdated and the Development will replace these with modern attractive offices and retail space in a core city location;
  - The new office floorspace will be nearly three times larger than the existing and will enable the employment of 2,319 more people than the current offices could accommodate.
  - The size and configuration of the new office space would be of the kind now required by those who wish to occupy space in the City of London, and will assist in the promotion of the city as the world’s leading international financial and business centre, thereby contributing significantly to the achievement of the City Corporation’s strategic policies.
  - The Development will secure benefits to the area in terms of the appearance of the new world class building, the additional retail floorspace, public realm improvements and other environmental enhancements.
    - All the considerations the City Corporation is required to take into account have been addressed and it has been concluded that there is a compelling case in the public interest in favour of making the CPO.
    - Terms have been negotiated with the majority of those whose interests would be affected by the proposed acquisition, and the making of the CPO will ensure that the Site will be developed within a more certain timescale and not prevented by the Developer’s inability to acquire all the interests required by agreement.
    - The acquisition of those interests by compulsion is proportionate and justified in the circumstances of the case.

It is therefore recommended that Members of Court of Common Council concur with the resolution and recommendation of Planning and Transportation Committee and authorise the making of a Compulsory Purchase Order in respect of all interests in the Site.

**Appendices**

Appendix 1 – Site Location Plan

Appendix 2 – Illustrations

Appendix 3 – Representations

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

DATED this 29<sup>th</sup> day of April 2014

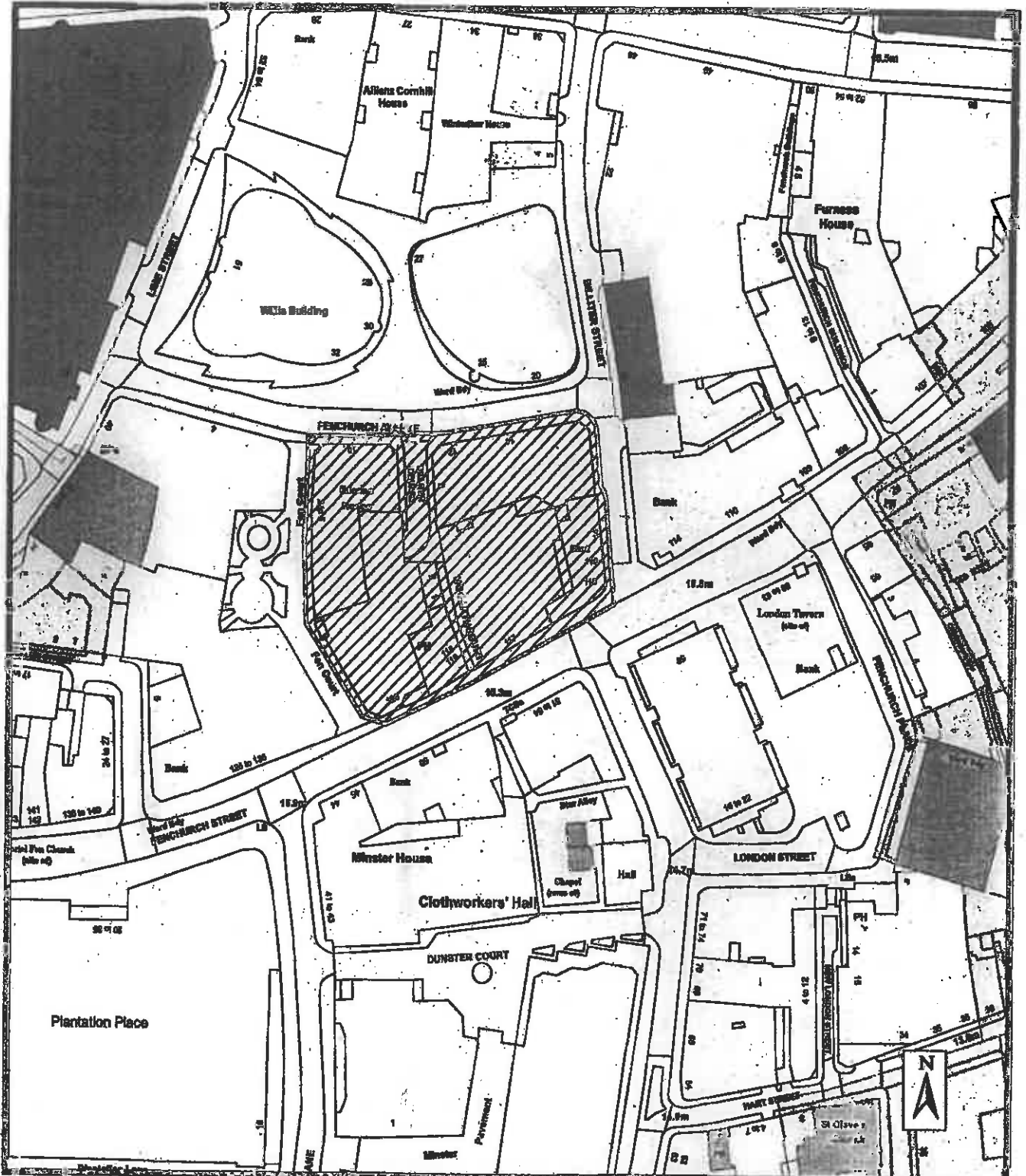
SIGNED on behalf of the Committee.

Deputy Michael Welbank, M.B.E.  
Chairman, Planning and Transportation Committee

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# Site Location Plan





Appendix I



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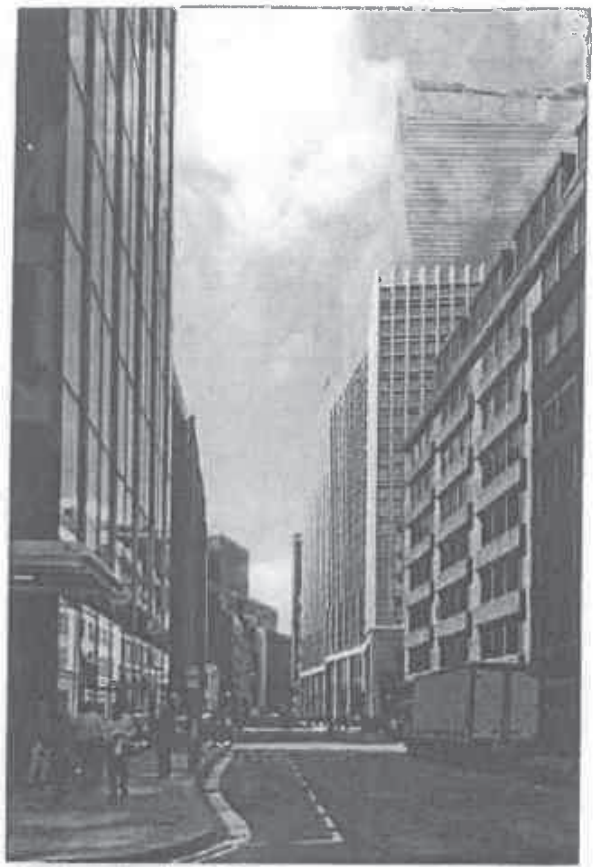
**ADDRESS:**  
120 Fenchurch Street

**CASE No.**  
11/00854/FULEIA

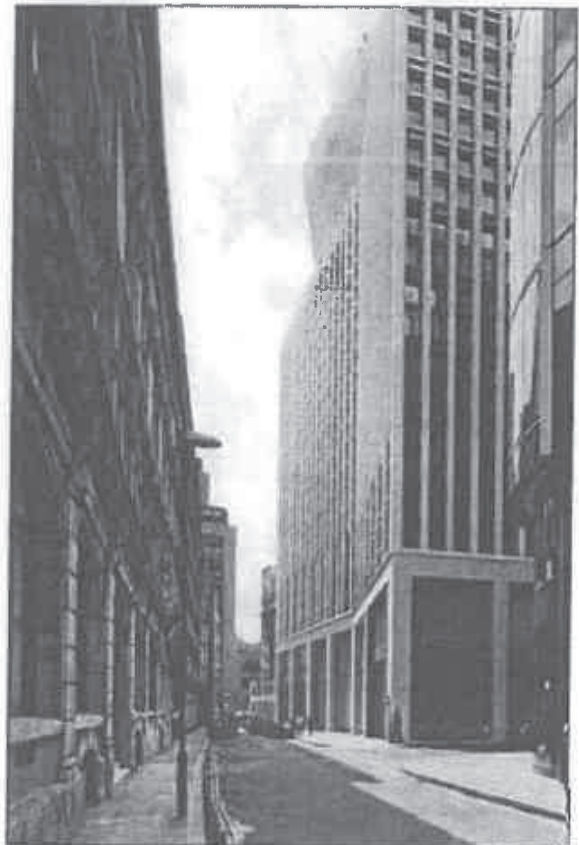
-  **SITE LOCATION**
-  **LISTED BUILDINGS**
-  **CONSERVATION AREA BOUNDARY**
-  **CITY OF LONDON BOUNDARY**



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View west from junction with St. Katherine's Row



View south from Billiter Street

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**C L I F F O R D  
C H A N C E**

Appendix 3.  
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**By E-mail**

Your ref:  
Our ref: 70-40482003

**For attention of: Deborah Cluett**  
Comptroller and City Solicitor's Department  
Guildhall  
PO Box 270  
London  
EC2P 2EJ

23 May 2014

**Report to Court of Common Council on compulsory purchase order relating to 120 Fenchurch Street**

**1. INTRODUCTION**

- 1.1 We welcome the opportunity provided by the City to comment on its report ("Report") to the Court of Common Council ("Court"), in a consolidated fashion, in advance of the 12 June 2014 Court session.
- 1.2 We note the Report now clarifies a number of issues which have been raised by Jones Day (representing Linville Limited ("Linville")) throughout the compulsory purchase order for 120 Fenchurch Street ("CPO") process to date; these remain the focus of this response.
- 1.3 We do not consider any matters raised throughout the CPO process to date affect the integrity of that process as undertaken by the City nor should prevent Court from resolving to make the CPO.

**2. CPO AS LAST RESORT**

- 2.1 Jones Day has sought to argue the CPO process underway is premature and cannot be considered a "last resort", as required by the relevant Government Circular 06/2004. The Circular states that *"The compulsory purchase of land is intended as a last resort in the event that attempts to acquire by agreement fail."*

10950-5-2219-v1.0

70-40482003

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- 2.2 There is no question that CPO should be a last resort. However we are now at this point.
- 2.3 Initial discussions with Linville were had in 2009. Formal engagement commenced in 2011 with a meeting between our client's agents and Linville. An offer was made to Linville in April 2012 following the grant of planning permission in March that year. Despite numerous meetings, correspondence and offers made from that point to the commencement of the CPO process (including increased offers made in September, October and November 2013) our client was unable to reach agreement.
- 2.4 Immediately prior to the CPO process (and to seek to avoid it) our client made increased offers in January and February 2014. In parallel, our client offered to enter into an alternative dispute resolution process in February 2014 but this was not taken up. While Linville subsequently indicated to the City on 2 April 2014 that it would agree to a form of ADR, that was on the basis that such process would not be binding upon Linville. For obvious reasons, that is not satisfactory for our client.
- 2.5 Immediately after the Planning and Transport Committee meeting, our client wrote again to Linville seeking a further meeting and offering to discuss pursuing an alternative dispute resolution. Our client's agent then met with Linville to discuss settlement.
- 2.6 No agreement has been reached and the timing of the development is now critical. The CPO is a last resort.

### **3. ADEQUACY OF NEGOTIATIONS**

- 3.1 Jones Day has sought to claim that our client has not adequately negotiated with Linville as they have underestimated the value of Linville's interest such that its offers and efforts to settle are not realistic or serious. This claim is not supportable.

#### **Independent valuation**

- 3.2 Our client commissioned an independent valuation from BNP Paribas regarding the value of the Linville interest. It provided the full valuation report, which explains in detail the valuer's approach and methodology, to both the City and Linville on 9 September 2013. While its early offers were based on that valuation, and without prejudice to its position that the BNP Paribas valuation is correct, our client has subsequently sought to reach agreement with Linville by increasing its offer to more than double that valuation.

- 3.3 Before proceeding with the CPO the City independently sought a valuation from Gerald Eve as to the value of Linville's interest. This valuation was sought solely to provide independent confirmation to the City that our client's offers were reasonable. That independent valuation came out in the same region as our client's offers over the past 6 months; Linville continues to seek considerably more than this.
- 3.4 While we understand Linville's position on value is premised on an independent valuation undertaken by Montague Evans ("ME"), Linville has refused to provide the details of the ME approach and methodology to our client or the City to date. It would be manifestly unfair if the CPO were held to be premature on the basis of Linville alleging that the negotiations are not valid as his value has been underestimated, whilst at the same time refusing to provide sufficient information on which that assertion is based.

#### **Relevance of Heron Quays West CPO**

- 3.5 Jones Day has sought to make a case that an Inspector's decision on a CPO case relating to land at Heron Quays West (in Canary Wharf) supports its case that adequate negotiations have not occurred. It does not.
- 3.6 In that case the Inspector's decision (to recommend a CPO should not confirmed) related to the uncertainty of delivery of the scheme and that proper consideration of alternative sites had not been considered. Mention was also made of the lack of serious effort at negotiation by either side but this was in respect of negotiations after the council had resolved to use its CPO powers. None of those factors are relevant or present in this CPO: there is certain consented scheme, a tenant, and open and adequate negotiations have and will continue to occur in parallel with the CPO.

#### **4. CONCURRENT PROCESSES**

- 4.1 The Court should be aware that the resolution to use CPO powers is the first stage in a long process which affords the parties numerous opportunities to negotiate and seek agreement without the use of CPO powers, and to present their case on valuation. We have appended a flowchart to this letter demonstrating these subsequent procedures which would still need to be followed (see Annex 1). This confirms the appropriate point at which valuation matters should be properly assessed as the compensation stage, where the expertise of the Upper Tribunal (Lands Chamber) can be utilised.
- 4.2 In any event, disagreement over valuation should not prevent the CPO proceeding. It is appropriate for CPO processes and negotiations to run in parallel. The Circular states: "*Given the amount of time which needs to be allowed to complete the*

*compulsory purchase process, it may often be sensible for the acquiring authority to initiate the formal procedures in parallel with such negotiations."*

**5. CORRECTION REGARDING BREAK RIGHTS**

- 5.1 Jones Day has alleged the Planning and Transportation Committee was misled in making its resolution on the CPO in that, in addition to Linville, there is a further occupational sub-tenant interest (Alumina Limited) in the site which was not identified in that report and which does not have a 3 month break period. A recent office copy search revealed this lease was granted by Linville to Alumina Limited on 31 January 2014; the lease is due to expire in 2022 and has no break right.<sup>1</sup>
- 5.2 We disagree the members were misled. The main interests have been set out in Report but there are a number of derivative interests in the site which were not specifically identified and the stage for ensuring full identification of all affected interests is done at the referencing stage of the CPO process (refer Annex1).

**6. SECTION 73 AMENDMENTS TO PLANNING PERMISSION**

- 6.1 Jones Day has stated that the CPO is premature as a s73 minor material amendment is proceeding. This does not constitute a reason to defer the CPO. The changes sought do not affect the principle and benefits of the development permitted which underpin the CPO case; they are minor amendments only.<sup>2</sup>

**7. CITY PROCEDURE**

- 7.1 Jones Day has criticised the City's handling of a number of letters it wrote regarding raising a series of valuation and other matters and provided to the City (and to the members directly) the evening before each of the committees.
- 7.2 The City made its own assessment as to the appropriate manner in dealing with correspondence which Linville took the unusual step of providing directly to members on a last minute basis (but not to our client). We were present at both Committee meetings and note the City Solicitor summarised the letter and gave an assessment of relevance before the Planning and Transportation Committee. We consider the City

---

<sup>1</sup> Linville had confirmed to our client's agent in a tenancy schedule provided on 27 February that Linville had the ability to secure vacant possession in respect of Alumina on 6 months' notice. The report to the Planning and Transportation Committee reflected that confirmation.

<sup>2</sup> Being for a second entrance lobby, security scanning for visitors to the roof garden, a small part of the retail use becoming office use, and reduction in the size of the basements.

took an appropriate approach in so acting and that the members were happy to proceed on that basis as evidenced by the voting in favour of making the resolution.

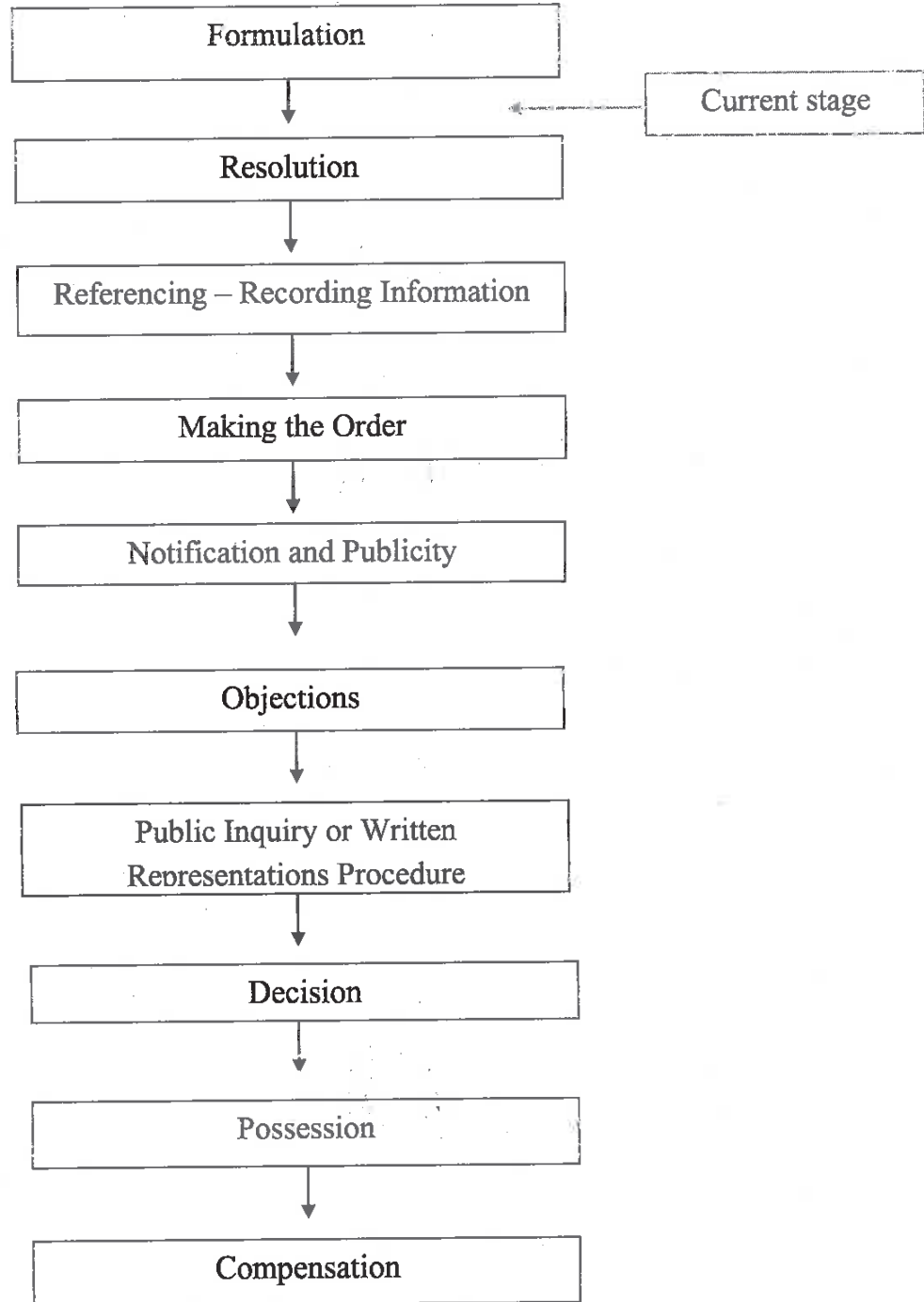
- 7.3 In any event the City has now provided an open opportunity for both parties to comment on the Report.

Yours faithfully

A handwritten signature in black ink that reads "Clifford Chance LLP". The signature is written in a cursive, slightly slanted style.

**Clifford Chance**

Annex 1 : Compulsory Purchase Process<sup>3</sup>



<sup>3</sup> Adapted from DCLG Guidance *Compulsory Purchase and Compensation*, October 2004.

# JONES DAY

AUTHORISED AND REGULATED BY THE SOLICITORS REGULATION AUTHORITY

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Direct 020 7039 5311

Date 22 May 2014

FAO: DEBORAH CLUETT

The Comptroller & City Solicitor  
City of London  
Guildhall  
PO Box 270  
London EC2P 2EJ

BY E-MAIL AND BY POST

Dear Sirs,

**118/119 Fenchurch Street  
Potential Compulsory Purchase Order  
Court of Common Council meeting 12 June 2014**

We refer to our letter to you of 9 May 2014 and our e-mail exchange of 15/16 May.

That e-mail exchange shows, once again, the remarkable lengths to which the City's legal department is going to avoid sharing our letters with members.

Rather than do so, the City's legal department now suggests that we write a further letter, setting out Linville's position as "*this will be far better for all parties than seeking to pass to Members a series of letters and responses*".

We do not consider it is "*far better*" for Linville that the letters we have written are not shared with members, or indeed the public at large. On the contrary, we believe the City's legal department's persistent obstinacy in this respect is designed to ensure that the full flavour of the highly pertinent points we have raised, including the role of officers, is diluted by the time it reaches members.

Nevertheless, for the benefit of members we set out here some of the key points arising from that correspondence, plus other points.

A LIST OF PARTNERS AND THEIR PROFESSIONAL QUALIFICATIONS IS AVAILABLE AT

LOI-8175084v1

21 TUDOR STREET • LONDON EC4Y 0DJ

ALKHOBAR • AMSTERDAM • ATLANTA • BEIJING • BOSTON • BRUSSELS • CHICAGO • CLEVELAND • COLUMBUS • DALLAS  
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MEXICO CITY • MIAMI • MILAN • MOSCOW • MUNICH • NEW YORK • PARIS • PITTSBURGH • RIYADH • SAN DIEGO  
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1. **The resolution of the Planning & Transportation Committee on 29 April was unlawful as officers failed to provide relevant facts to members (our letter of 30 April).**

These included:

- 1.1 Our letter of 25 April, sent to the Assistant City Solicitor ("ACS") with the clear intention that it was to be shared with members, and which formed a key part of Linville's representations to that Committee. Amongst the points covered by the 25 April letter, we explained:

- 1.1.1 in detail why, even on the express analysis of the City's valuation by Gerald Eve, the value of Linville's interest must significantly exceed the upper range given by Gerald Eve of £7.725 million and why, therefore, the offers made have not been adequate nor reasonable;

- 1.1.2 why the references to "*protracted negotiations*" and Linville having refused numerous offers were skewed, suggesting to members that Linville had been unreasonable. As stated at the time:

*They have only been protracted because of the absurd starting point adopted by Saxon Land and their unwillingness to enter into meaningful (i.e. realistic) negotiations. As recently as September 2013 they produced a valuation which stated the amount that would be payable to Linville on a CPO basis was a mere £1.4m, but they offered £3.25m.*

- 1.1.3 the sudden volte face of the City's officers on 8 April, which has never been explained to members:

*The Committee Report (paragraph 28) states that "the City has urged Linville to settle the consideration for its interest through alternative dispute resolution. This has not been taken up as Linville relies on its own valuation".*

*Firstly, the Committee Report omits to mention the fact the £15m valuation procured by Linville was itself an independent market valuation by Montagu Evans (Savills being Linville's agents in the negotiations). We have pointed this out several times before to the City's officers.*

*Secondly, we would draw members' attention to the fact that as recently as 21 March 2014, the City suggested that, as an alternative to ADR, the City could act as an intermediary by appointing an independent valuer. On 2 April we wrote back to the City, pointing out that, notwithstanding that there was already a fair, independent valuation of £15m, we could see the*



*merit of obtaining a further independent valuation and that Linville would participate in such a process, provided that it was fair and transparent to all concerned. We gave constructive suggestions as to how the independent expert should be instructed and how the process could work. We asked officers to give us a shortlist of 3 valuers to choose from. We confirmed that Linville would pay one third of the professional fees for the valuer for such an exercise. We also confirmed that, although Linville was not prepared to be bound by such an exercise (why would it, when there was already an independent valuation of £15m?), "Linville accepts that if the further independent valuation is conducted fairly as envisaged above and with no errors or complaint, that will be a material fact in any future proceedings connected with a CPO".*

*However, on 8 April the City's officers suddenly changed tack. The purpose of the independent valuation that the City was seeking had changed - it was no longer on the basis set out on 21 March. It was with the aim of assessing whether the City should proceed with the CPO. The City in effect abandoned its desire to assist the parties to meet on price in preference for a rapid application to Committee to sanction a CPO. This action has prematurely deprived the parties from an opportunity to reach agreement on price, which could have avoided the need for any consideration of a CPO.*

- 1.1.4 that Linville does not oppose the principle of development – provided that a fair and realistic price is offered.

If no such offer is forthcoming there are other substantive points about the merits of the CPO that Linville will contest, as we set out for officers on 26 February 2014.

- 1.2 The complete and material omission of any consideration in the Committee report, or at the Committee meeting, of the 8 year sub-lease held by Alumina Limited, and of which Saxon Land and the City's officers were previously aware.

Instead members were told (paragraph 47) that all of the occupational sub-leases had 3 month break notices and "*accordingly it is not considered that the making of a CPO is likely to lead to any, or any significant, interference with property rights ....*".

When this clear error was pointed out to the ACS, rather than admit the error, we had the unedifying spectacle of the ACS claiming, on 2 May, that "*paragraph 47 of the Committee report refers only to those interests terminable on 3 months' notice and is not intended to refer to Alumina!*"

As we pointed out in our letter of 7 May:

*If that is so, why did officers not take the opportunity to set out elsewhere within the Committee Report the analysis as to Alumina that is now seen in the 2 May letter? We invite the City to provide us with any documentary evidence that the City can produce to show that the analysis by the City's officers, that the City now relies on in its letter of 2 May, pre-dates the Committee Report.*

We have received no such evidence.

- 1.3 The existence of a planning application to materially amend the Saxon Land scheme, which was only submitted by Saxon Land in mid-March 2014.

Members of the Planning & Transportation Committee were not told about this material point, despite the City's planning department knowledge of it. As explained in our letters of 30 April and 7 May:

*Linville's case includes the point that it is premature for members to proceed with the making of a CPO. This was therefore an important point of debate.*

*The request from Saxon Land for the City to use its CPO powers was made on 17 January 2014. The Committee Report requests that members give power to make a CPO in respect of the development authorised by permission 11/00854/FULEIA of March 2012' (or a substantially similar scheme of development) (our emphasis). No explanation was given to members for the wording we have underlined*

*Given the issue of prematurity, it was directly relevant to members' decision for them to be informed that Saxon Land and their intended occupier, M&G, do not propose to utilise the March 2012 permission to which members referred. Instead, they plan to utilise a varied scheme by way of a further planning application (ref. 14/00237/FULMAJ), which was only submitted to the City on 14 March 2014, some two months after the request to use CPO powers, and which as at today, is still pending consideration.*

*In the context of the issue of prematurity, members should at least have been told by officers that such a recent planning application, which will necessitate a varied Section 106 agreement, had been received and is still outstanding and, in the words of the covering letter submitted with that planning application, has been submitted "in order to meet the requirements of the proposed occupier"*

*... As stated in our letter of 30 April, the fact that members were not told about the current, undetermined planning application for a redesign of the scheme is directly relevant to the issue of prematurity of a CPO.*

*The City's response on 2 May is that the ACS and the Head of Planning have discussed the point, now, and concluded that there is no obvious reason why the new planning application will not be granted, so the existence of the application is not material to the making of the CPO.*

*Once again, this smacks of after the event justification, with officers usurping the role of the Planning & Transportation Committee.*

*The City's stance can be summarised as: it was material to tell members about the existence of the 2012 planning permission, which the developer's own planning agents admitted to the City's officers, in writing, in mid-March 2014 does not "meet the requirements of the proposed occupier", M&G; but it was not material to tell members of the existence of the undetermined planning application, submitted only in mid-March, to redesign the scheme "to meet the requirements of the proposed occupier", M&G.*

*The existence of this recent and undetermined planning application sits very uneasily with the notion of urgency that was being impressed on members at the 29 April meeting. The City's planning department knew about that planning application prior to the preparation of the Committee Report and the Planning & Transportation Committee meeting, but no mention was made of it to members.*

That planning application is still outstanding today.

**For these reasons, the decision of the Planning & Transportation Committee to resolve to recommend to the Court of Common Council that a CPO be made was unlawful and cannot be relied upon by the Court. For that reason, the Court cannot lawfully resolve to "concur with the resolution and recommendation" of the Planning & Transportation Committee, as now recommended by officers, as there is nothing lawful with which to concur.**

**Given that the CPO is based on planning powers and the Planning & Transportation Committee is the designated committee for such matters, whose conclusions would clearly have a great influence on the Court of Common Council, we pointed out to the ACS that the only fair process is to remit the**

**matter back to the Planning & Transportation Committee so that it could re-assess in the light of the full facts. Officers have chosen not to do so.**

2. **The role of officers**

As well as the points above, on 9 May, after the Policy & Resources Committee meeting of 8 May, we wrote to the ACS again:

*We refer to our e-mail exchanges of yesterday (attached) and yesterday's Policy & Resources Committee ("P&R") meeting.*

*The Assistant City Solicitor ("ACS") refused in those e-mail exchanges to put a copy of our letter of 7 May before members of the P&R and the Court of Common Council, insisting instead that the City's legal department would seek only to summarise the letter for members of the Court, in so far as the City's legal department considers it to be material.*

*The ACS did, though, ask the committee clerk to put before members of both the P&R and the Court the City's letter of 2 May, which purports to deal with our letter of 30 April.*

*Cutting the correspondence off at that point for members may have given members the impression that the City had satisfactorily dealt with the points in our letter of 30 April. As set out in our letter of 7 May, that is simply not the case.*

...

*We find the refusal of the City's officers to put our letter before members deeply troubling. We have not experienced a local planning authority refusing to put a letter before members when requested to do so in the context of a planning application, let alone in circumstances where the authority is proposing to acquire property against the will of the owner.*

*We are left with the distinct impression that officers do not want our letter to be put before members due to concern that members might agree with it.*

*If officers are confident of the case for a compulsory purchase, they should have no qualms in putting our letters before members in full and then explaining to members why they disagree with the points made in those letters.*

*The P&R meeting*

*At the P&R meeting, some members had received our letter of 7 May via Mr Rooney (of Linville's) e-mail earlier that morning. Other members had not read the letter. The Chairman of the P&R stated that no greater attention should be given to matters set out in direct correspondence to members than if matters had been raised via officers.*

*To be clear, Linville is reluctant to contact members directly. It has only done so because it has no confidence that the City's officers will provide correspondence, and thus Linville's case, fully and fairly to members. The e-mail exchanges of yesterday suggest that Linville judged that correctly.*

*Councillor Alexander Deane stated that he had read our letter of 7 May and he felt it raised matters of concern that ought to be debated. The Chairman made it clear that the P&R was not to debate the matter - the correct forum for debate would be the Court.*

*The City Solicitor stated (at odds with yesterday's e-mail exchanges) that officers had distributed the letter of 7 May to members of the P&R for reasons of transparency. He was immediately, and fairly, corrected by Councillor Deane, who stated he had not received the letter from officers, he had received it from Linville.*

**3. The changes to the Committee Report for the Court of Common Council meeting**

On 16 May the ACS stated by e-mail that the changes to the Committee Report would not be material. On 21 May, Ms McHugh described the changes as "minor".

We disagree.

Some of the changes that are now made to the report are clearly material because they purport to deal with some of the points made above. In short, officers are seeking to put the wobbly train back on its track.

The point about Alumina's 8 year sub-lease is belatedly referred to in paragraph 15. However, it is portrayed as insignificant.

In addition, we have the admission, only now, that Draft Policy DM1.3 of the City's proposed local plan seeks to protect the very sort of office accommodation (i.e. small and medium sized business units) that the proposed CPO would remove! This was not, of course, mentioned to members of the Planning & Transportation Committee.

Members will note the complete omission by officers, once again, to mention to members the undetermined planning application, so recently submitted, and which dispels the notion of urgency being put to members of the Planning Committee.

**4. Compensation is purely a matter for the Lands Tribunal**

As explained in our letters of 25 and 30 April, this notion (stated by the Chairman of the Planning & Transportation Committee on 29 April and 8 May) was expressly rejected by the Inspector who refused to confirm the Heron Quays CPO. Members need to be satisfied that reasonable and adequate negotiations have been undertaken in line with Circular 06/2004.

**5. In any event, the CPO is a futile exercise**

Members are told in paragraph 41 of the committee report that completion of the development must be procured for M&G by September 2017. To achieve this, paragraph 38 makes it clear that the Site must be assembled in time to allow for construction to commence in early-mid 2015.

On 8 May, the City Solicitor advised members of the Policy & Resources Committee that the CPO process would "*take around 18 to 24 months*" to come to fruition.

On the basis of the City Solicitor's own advice to members, the pursuit of the CPO will therefore not deliver the development by M&G's required occupation date. It is therefore pointless to proceed with it, as it will not bring about the benefits referred to by the City's officers.

In reality, the only way Saxon Land can now meet the required construction and occupation dates, and bring about the benefits to the City of London referred to in the Committee Report, is to negotiate fairly and reasonably as to the market price with Linville at the soonest opportunity.

As we have tried to point out in our letters, if Saxon Land had done that from the outset, rather than advancing the totally misconceived claim (via CBRE) that "*on a CPO basis*" Linville's interest is worth just £1.4 million, members would never have been troubled with this matter.

As we said in our letter of 25 April:

*If the actions of Saxon Land to date are indicative of the level of negotiation that is required from a developer before the City will jump in with a CPO, then CPOs in the City of London will no longer be a matter of last resort - they will be commonplace.*

**Conclusion**

It is common ground that a CPO must be a matter of last resort, and that members must be satisfied that there is a compelling case in the public interest before making a CPO.

For the reasons set out above, we submit there is no compelling case here.

We respectfully ask that members resolve not to make a CPO.

Yours faithfully,



**Jones Day**

Enclosure

cc: (by e-mail)  
Mr Giles Rooney - Linville  
Mr Habib Rehman - Linville  
Mr David Herring - Linville







## Report – Licensing Committee

### Introduction of the Late Night Levy in the City of London

*To be presented on Thursday, 12th June 2014*

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

#### SUMMARY

1. Your Licensing Committee has carefully considered whether a Late Night Levy (the levy) should be introduced in the City of London. In deciding whether the levy should be introduced we undertook a full public consultation, which included contacting the 747 licenced premises in the City of London. We examined the consultation documentation, in detail, and considered a total of 70 responses which were received from those premises licenced to sell alcohol after midnight, premises licenced to sell alcohol up to midnight, Members, residents and 'others'. Included in the 'other' category were responses from trade representatives, solicitors and companies representing a number of licenced premises in the City of London.
2. Out of the 747 licenced premises in the City the levy, if introduced, would impact upon 290 licenced premises which sell alcohol after midnight. Out of those 290 licenced premises a maximum of 37 responses to the consultation were received.
3. The levy is prescribed nationally by legislation and is based on the premises rateable value. The category for exemptions and reductions from the levy is prescribed under the Late Night Levy (Expenses, Exemptions and Reductions) Regulations 2012. Your Licensing Committee considered and decided that there was no category of licenced premises which should be exempt from the levy. We did however agree that a reduction of 30% of the levy fee would be granted to all licenced premises operating between 00:01hours and 06:00hours, where the premises had shown that they operated at the standard required to achieve the City of London Safety Thirst Award. The Scheme encourages partnership

working with licenced premises to both reduce levels of crime and promote the licensing objectives overall.

4. We have carefully reviewed the criteria to adopt the levy, set out in the Police Reform and Social Responsibility Act 2011 and supporting regulations, along with the responses received from the consultation and we now seek the Court's approval to introduce a levy in the City of London.

## **RECOMMENDATION**

5. We **recommend** the introduction of a late night levy and request that the Court of Common Council endorses the following:-
  1. That the late night levy be applied in the City of London; and
  2. That the adoption of the late night levy be applied across the City of London to commence on the 1 October 2014 with the late night supply period set from 00:01hours to 06:00hours, to all premises licensed to supply alcohol and, that the following be agreed, that:
    - a. a reduction in the levy of 30% be granted to premises operating between 00:01hours and 06:00hours where the premises have shown that they operate at the standard required to achieve the City of London Safety Thirst Award;
    - b. The proportion of the net amount of the levy revenue to be paid to the City of London Police be 70%;
    - c. The final allocation of that portion of the levy to be used by the City Corporation and to be decided by the Chairman and Deputy Chairman of the Licensing Committee in consultation with the Director of Markets and Consumer Protection;
    - d. There would be no premises which would fall under the 'exempt' category as prescribed under the criteria set out in the Late Night Levy (Expenses, Exemptions and Reductions) Regulations 2012; and
    - e. A review take place in six months and thereafter annually to review the operation and effect of the levy and reported to the Licensing Committee accordingly.

## **MAIN REPORT**

### **BACKGROUND**

6. The City of London is the world's leader in international finance and business services. Whilst primarily a business district, the City of London has an expanding night life which is enjoyed by many thousands of workers, residents and visitors. The number of late night premises is high with around 290 premises licensed to sell alcohol after midnight. The costs of policing the late night economy are substantial.

7. The City Corporation is engaged in active partnership working with its licensed premises to ensure high standards of management that will prevent public nuisance. This includes active participation in 'Pubwatch', 'Hotel Forum' and its own Safety Thirst awards scheme and Code of Good Practice. These successful activities have continued to produce positive results.
8. The City of London however continues to have levels of alcohol related crime which remains a key priority for the City of London Police to address going forward into 2014/15. Details of the crime statistics can be seen in Appendix 1. Although these figures may seem low compared to the rest of London, they still result in considerable time and expense ensuring that the vast majority of people wishing to enjoy the City of London late at night without causing trouble can do so safely. The crime statistics reported in Appendix 1, with the exception of dealing with persons who are drunk and disorderly, are recordable crimes and do not include all incidents. The Police respond over a typical weekend to approximately ten calls requesting officer assistance that do not ordinarily end as recordable crimes.
9. The levels of anti-social behaviour and public nuisance associated with alcohol, and the difficulties in addressing it with limited policing, has led the City Corporation to pilot the use of a shared service with Westminster City Council's Noise Team for dealing with noise, including public nuisance issues. The pilot was reviewed and a faster response time and presence within the City has meant that this be substantially brought back in house, which took effect from April 2014.

#### **THE POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011**

10. The Police Reform and Social Responsibility Act 2011 (PRORA) introduced the power for licensing authorities to impose a levy on the whole of their area. The levy enables licensing authorities to raise a contribution from late-opening alcohol suppliers towards policing the night-time economy. The licensing authority can choose the period during which the levy applies every night, between midnight and 6am, and decide what statutory exemptions and reductions should apply.
11. The aim of the levy is to empower local areas to charge businesses that supply alcohol late into the night for the extra enforcement costs that the night-time economy generates for the police and licensing authorities. The rationale behind this is that the Government in The Coalition Agreement included the commitment to permit local councils to charge more for late night licences to pay for additional policing. The Government consider it right that businesses which profit by selling alcohol in the night-time economy should contribute towards these costs, rather than relying on other taxpayers in the community to bear the full costs.

#### **ADOPTING THE LEVY**

12. The amount of the levy is prescribed nationally by legislation and is based on the premises rateable value. The annual charges for the levy, and weekly equivalent, will be:

| Rateable Value (£) | Rateable Band | Amount of Levy (£) |                   |
|--------------------|---------------|--------------------|-------------------|
|                    |               | Annual Levy        | Weekly Equivalent |
| 0 – 4,300          | A             | 299                | 5.75              |
| 4,301 – 33,000     | B             | 768                | 14.77             |
| 33,301 – 87,000    | C             | 1,259              | 24.21             |
| 87,001 – 125,000   | D             | 1,365 (2,730*)     | 26.25 (52.50*)    |
| 125,001 +          | E             | 1,493 (4,440*)     | 28.71 (85.39*)    |

*\* Where a multiplier applies for premises used exclusively or primarily for the supply of alcohol for consumption on the premises (bands D & E only)*

13. Premises would pay their levy when their annual licence fee becomes due and therefore the levy payments may not be collected until up to a year after the implementation date. By law, any non-payment of the levy by the due date must result in the suspension of a premises licence or club premises certificate until payment has been made.
14. With regard to the revenue collected, the City Corporation is able to deduct the costs of administering the levy and then a minimum of 70% of the balance has to be passed to the City of London Police, as prescribed under the PRSRA 2011 and supporting regulations. Administration costs are estimated to be no more than £15,000 per annum.
15. The City of London Police are not bound by any restrictions as to how their portion of the money is to be spent. However, they have given assurances that it will be used towards the following objectives:
  - To cover the costs associated with licensing hearings, advice and objections to Temporary Event Notices (TEN's), estimated as being between £20,000 and £30,000 per annum. It is clear that the police (as a responsible authority) are the key contributor when it comes to identifying a need for a realistic objection to a grant, variation or submission of a TEN.
  - Funding three additional officers to run an effective 'action team' within the police licensing team. The action team would actively target the licensed premises that have been identified via the Force Intelligence Bureau (FIB) as premises that are responsible for the majority of crime

and/or disorder occurring at their premises. They would work with those premises so that they can achieve better results in promoting the licensing objectives. Furthermore it would fall to them to identify persistence in failures and contraventions of licensing conditions.

- The night time economy has grown considerably in the City of London since the evolution of the police licensing team to its current form; however the team has not been expanded accordingly. Over time several 'problem' premises have been identified but, owing to a lack of tangible high-grade evidence, it has taken a considerable amount of time to deal effectively and efficiently with them. The extra three staff would facilitate preventative measures in order that more formal action is not necessary.
- Covert operations to detect offences, and as a consequence supply high-grade evidence of licensing offences allowing early intervention, would also be funded. This role needs to be carried out by trained officers (sometimes from other forces), as the City's own licensing officers are known. Past experience would suggest this activity would occur approximately five or six times a year.
- In addition, it would allow the police licensing action team to further its partnership working with the London Fire Brigade, Security Industry Authority, and Trading Standards to be available to engage/detect/advise and enforce where the evidence is overwhelming; to learn lessons and to continue to promote good practice.

16. The City Corporation is however required to spend its allocation in specific areas namely:

- The reduction or prevention of crime and disorder;
- The promotion of public safety;
- The reduction or prevention of public nuisance;
- The cleaning of any highway maintainable at the public expense within the City of London (other than a trunk road) or any land to which the public are entitled or permitted to have access with or without payment and which is open to the air.

17. The proposals for spending the City Corporation's allocations are:

- Towards funding a post to operate the Code of Practice and Risk Assessment Scheme. The post holder would work closely with all licensed premises in an advisory capacity in order that they have the best possible chance of promoting the licensing objectives.
- To fund a team of officers to work during midnight to 06:00 a.m. Officers would be able to respond speedily to complaints from members of the public where they are being disturbed by excessive noise. This will allow officers to see the problems as they are occurring and take the appropriate action. In the majority of cases this would involve working in

partnership with the licensed premises in question to alleviate problem areas.

The income estimates of the levy can be seen in the table below:

|  | A       | B       | C       | D       | Local Authority Portion | Police Portion |
|--|---------|---------|---------|---------|-------------------------|----------------|
| Amount raised if Levy introduced from 00:01 to 06:00 | 474,949 | 332,464 | 317,464 | 222,225 | £66,668                 | £155,558       |
| Amount raised if Levy introduced from 01:01 to 06:00 | 301,917 | 211,342 | 196,342 | 137,439 | £27,488                 | £109,951       |
| Amount raised if Levy introduced from 02:01 to 06:00 | 144,435 | 101,105 | 86,105  | 60,273  | £12,055                 | £48,219        |
| Amount raised if Levy introduced from 03:01 to 06:00 | 57,171  | 40,020  | 25,020  | 17,514  | £3,503                  | £14,011        |
| Amount raised if Levy introduced from 04:01 to 06:00 | 16,044  | 11,231  | N/A     | N/A     | N/A                     | N/A            |
| Amount raised if Levy introduced from 05:01 to 06:00 | 8,106   | 5,674   | N/A     | N/A     | N/A                     | N/A            |

*The columns in the table refer to the following:*

- *A – Total amount raised if all 290 premises were to pay the levy without any deductions.*
- *B – Total amount raised if 30% of all premises varied their hours to bring them outside the levy period. (figure based on the experience of other local authorities).*
- *C – Total amount raised from 70% of the premises less £15k to administer the scheme.*
- *D – Total amount raised from 70% of the premises less the administration costs and less a discount of 30% to account for premises participating in the Safety Thirst Award Scheme (the actual income likely if all recommendations in this report are approved).*
- *The final two columns show the amount in column D split between the City of London Police and the City Corporation, with 70% going to the Police and 30% to the City Corporation.*

## **CRITERIA TO BE CONSIDERED IN MAKING THE DECISION TO ADOPT THE LATE NIGHT LEVY**

18. In deciding whether to adopt the levy, the City Corporation has to discuss the need with the relevant Chief Officer of Police, in this case the Commissioner of

the City of London Police. The City of London Police have expressed their support for the levy and the Commissioner has been involved in the design of the proposed system.

19. The City Corporation has to have regard to the costs of policing and other arrangements for the reduction of crime and disorder in connection with the supply of alcohol between midnight to 06:00 hours and, having regard to these costs, the desirability of raising the revenue to be applied in the prescribed manner.
20. The annual policing costs for these hours are difficult to accurately assess given that they cover various actions in various parts of the service and can include call handling, emergency response, investigation, detection and court time. It is estimated that the costs incurred by the Police are in excess of £2.1m. It is not possible to demonstrate that 100% of this expenditure relates to crime committed as a result of alcohol purchased during the late night supply period in the City of London. However, such precision could never be attained and does not need to be. The information provides a broad indication of the costs of policing and other arrangements for the reduction or prevention of crime and disorder in connection with the supply of alcohol between midnight to 06:00 hours.
21. The City Corporation has to have regard to the results of the consultation which are given below. The statistical analysis of the consultation can be seen as Appendix 2.
22. General comments relating to each of the eight main questions have been collated and presented as Appendix 3. A few of the responses make significant comments and have been reproduced in full as Appendices 4a to 4e.
23. The City Corporation also has to have regard to the financial risk in adopting the levy. With administration costs, and the impact of reductions and exemptions being taken into consideration, it would not be a viable proposition if the gross levy amount was to fall below £100k.

## **CONSULTATION**

24. The licensing authority must consult prior to the introduction of a levy and any decision relating to the permitted exemption or reduction categories, the size of the specified proportion, and the period which is to apply to the levy.
25. The consultation commenced on 26 February 2014 and finished on 8 April 2014. A copy of the consultation document can be seen as Appendix 1. The consultation was advertised in the local press and was available either to download from the City Corporation website or to complete online. All licensed premises were informed of the consultation. A previous consultation exercise was held in 2013 but, having taken legal advice, the decision was taken to run a fresh consultation exercise.

## RESPONSES TO THE CONSULTATION

26. There were 70 responses to the consultation. 34 of these were written responses and 36 responded online. 18 of these were from premises that currently have a licence to sell alcohol after midnight, 16 from premises that currently have a licence to sell alcohol up to midnight, five from residents, 12 from Members (of whom four are also residents), and 19 others. Included in the 'other' category were responses from trade representatives, solicitors and companies representing a number of licensed premises in the City of London. A synopsis of the consultation analysis is set out below (*the full results are reported at Appendix 2*).

### **Question 1 - Do you agree that a late night levy be introduced in the City of London?**

27. 67% of responses that answered Question 1 were in favour of the levy. Overall 27 of the premises selling alcohol after midnight were represented in the responses, either directly or from being represented and included in the 'other' category ('affected premises'). Of these 70% were against the levy.
28. The City of London has 747 premises selling alcohol of which approximately 290 would be liable to pay the levy if there were no exemptions. The response rate from these premises was 9%.

### **Question 2 - Do you agree that if a levy was to be introduced it should operate between midnight and 6a.m.?**

29. The suggested hours of 00:00 to 06:00 were supported by 59% of respondents. The consultation sought views on alternative levy hours with 20% preferring 01:00 to 06:00, 12% preferring 02:00 to 06:00 and 9% preferring some other time period.
30. To avoid complications with premises unsure as to whether they fall within the levy period or not, all periods are recommended to run from one minute past the hour. The suggested hours within the consultation would thus be 00:01 to 06:00.

### **Question 3 – Do you agree that there should be no exemptions from paying the levy?**

31. 43% of respondents agreed that there should be no exemptions. There was some support for other exemptions as follows:
- Premises offering overnight accommodation that sell alcohol only to guests – 26%
  - Theatres and cinemas selling to ticket holders, participants and invited guests to a private event – 19%
  - Bingo Halls – 10%
  - Community Amateur Sports Clubs – 10%



- Community premises (successfully applying for the replacement of the mandatory 'designated premises supervisor' condition) – 14%
- Premises only selling alcohol in the supply period by virtue of the fact they are permitted to supply alcohol during this period on 1 January each year – 26%
- Business Improvement Districts – 11%

**Question 4 – Do you agree that businesses meeting the 'small business rate relief' criteria should not receive a reduction?**

32. 67% of respondents agreed that there should be no reduction for businesses meeting the 'small business rate relief' criteria.

**Question 5 – Do you agree that premise meeting the requirements of the Safety Thirst Award Scheme should be entitled to a 30% discount?**

33. 77% of respondents agreed that premises should receive a 30% reduction. The majority of respondents see the Safety Thirst award scheme as an additional means to reduce crime and disorder.

**Question 6 – Do you agree that the minimum 70% of the net revenue raised from the levy should go to the Police?**

34. 74% of respondents agreed with the split with the remaining 30% being retained by the City Corporation.

**Question 7 – Do you agree with the way in which the City Corporation will spend their portion of the levy?**

35. 77% of respondents agreed with the way in which the City Corporation were to spend their percentage of the levy.

**Question 8 – Do you agree with the way in which the City of London Police will spend their portion of the levy?**

36. 80% of respondents agreed with the way in which the City of London Police were to spend their percentage of the levy.

**FINANCIAL, LEGAL AND OTHER IMPLICATIONS**

37. The first £15,000 per annum in a full year (£7,500 in 2014/15) will be retained by the City Corporation to meet the costs of administering the levy.
38. In addition, based upon the assumptions made in this report, the levy could generate up to £67,000 in a full year for the City Corporation to be applied in the prescribed manner. This figure makes allowances for a number of businesses reducing their hours of operation to bring them outside the levy period. At the end of each financial year, a statement of the total levy payments for the year, including details of exemptions and discounts, will be prepared and reported to your Licensing Committee.

39. This additional revenue has to be spent on specified purposes within the parameters set out in paragraph 18, and the final allocation of these funds is still being determined. Most, or all, of the likely costs to be met from the allocation are new costs to the City Corporation, so there will be no overall net financial benefit.
40. The Local Authorities (Functions and Responsibilities)(England) Regulations 2000, as amended, specify that the functions relating to the introduction a levy has to be a decision of the full Common Council.
41. In making the decision whether to adopt the levy the City Corporation must consider the matters set out in section 125(3) of the Police Reform and Social Responsibility Act 2011 namely:
- The costs of policing and other arrangements for the reduction or prevention of crime and disorder, in connection with the supply of alcohol between midnight and 6.00 a.m. and,
  - Having regard to these costs, the desirability of raising revenue to be applied in the prescribed manner.
42. The City Corporation must take full and proper account of the consultation responses in deciding whether to introduce the levy and if so, the design of that levy.
43. The City Corporation may decide that there are some types of premises which should be exempt from the levy. The categories of exempt premises are specified in the Late Night Levy (Expenses, Exemptions and Reductions) Regulations 2012 and are set out in the City Corporation's consultation document (see Appendix 1).
44. The only exemptions permitted by the legislation (which per se excludes additions such as Livery Halls) were as follows:-
- Premises offering overnight accommodation that sell alcohol only to guests
  - Theatres and cinemas selling to ticket holders, participants and invited guests to a private event
  - Bingo Halls
  - Community Amateur Sports Clubs
  - Community premises (successfully applying for the replacement of the mandatory 'designated premises supervisor' condition)
  - Premises only selling alcohol in the supply period by virtue of the fact they are permitted to supply alcohol during this period on 1<sup>st</sup> January each year
  - Business Improvement Districts

45. Your Licensing Committee carefully considered whether any exemptions should be made. We are unable to choose a category of premises for exemption which is not permitted under the legislation and supporting regulations.
46. The City Corporation can decide to offer a maximum discount of 30% from the levy to licenced premises which meet a best practice scheme or to those (certain) licenced premises which are entitled to small business rate relief. Licenced premises can only receive the discount once (under one category). There are currently no licenced premises, which are entitled to small business rate relief, which would be affected by the levy, if introduced.
47. A best practice scheme, such as the City of London's Safety Thirst Awards Scheme, must meet the criteria set out in the Late Night Levy (Expenses, Exemptions and Reductions) Regulations 2012, which is as follows:
- A clear rationale as to why the scheme's objectives and activities will, or are likely to, result in a reduction of alcohol-related crime and disorder;
  - A requirement for active participation in the scheme by members; and
  - A mechanism to identify and remove in a timely manner those members who do not participate appropriately.
48. Your Licensing Committee gave due consideration to whether a reduction of the levy should be provided to premises which are entitled to small business rate relief. We decided that a reduction should only be permitted to those premises which operated at the standard required to achieve the City of London Safety Thirst Award. The Scheme had the benefit of encouraging partnership working with licenced premises to both reduce levels of crime and promote the licensing objectives overall.
49. The net revenue must be split between the City Corporation and the City of London Police. The City Corporation must pay the Police at least 70% of the net levy. Costs incurred in the introduction, administration and collection of the levy may be deducted from the gross revenue prior to the levy being apportioned.
50. If the City Corporation decides to adopt the levy it must notify the Chief Officer of Police and all holders of licences which permit the supply of alcohol within the late night supply period. The Home Office Amended Guidance on the levy recommends that the start date of the levy is set no less than three months after the notifications are sent. This will allow sufficient time for holders with a relevant late night authorisation to make a free variation to their licence to reduce their licensed hours to avoid operating within the late night supply period and thus avoid paying the levy.

## **CONCLUSION**

51. Your Licensing Committee carefully considered the introduction of the levy and agreed that the following be recommended for endorsement by the Court of Common Council:-
1. That the late night levy be applied in the City of London.

2. That the Court of Common Council agree for the adoption of the late night levy to be applied across the City of London to commence on the 1 October 2014 with the late night supply period set from 00:01 to 06:00 to all premises licensed to supply alcohol and, that the following be agreed by the Court of Common Council:
  - a. a reduction in the levy of 30% be granted to premises operating between 00:01 and 06:00 where the premises have shown that they operate at the standard required to achieve the City of London Safety Thirst Award;
  - b. The proportion of the net amount of the levy revenue to be paid to the City of London Police be 70%;
  - c. The final allocation of that portion of the levy to be used by the City Corporation and to be decided by the Chairman and Deputy Chairman of the Licensing Committee in consultation with the Director of Markets and Consumer Protection;
  - d. There would be no premises which would fall under the 'exempt' category as prescribed under the criteria set out in the Late Night Levy (Expenses, Exemptions and Reductions) Regulations 2012; and
  - e. A review take place in six months and thereafter annually to review the operation and effect of the levy and reported to the Licensing Committee accordingly.

**Appendices:**

|                      |                                   |
|----------------------|-----------------------------------|
| <b>Appendix 1</b>    | Consultation Document             |
| <b>Appendix 2</b>    | Consultation statistical Analysis |
| <b>Appendix 3</b>    | Consultation general comments     |
| <b>Appendix 4a-e</b> | Full responses to consultation    |

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

DATED this 28th day of April, 2014.

SIGNED on behalf of the Committee.

MARIANNE BERNADETTE FREDERICKS  
Chairman



**CITY OF LONDON CORPORATION**  
**LATE NIGHT LEVY - CONSULTATION**

**1. Background**

- 1.1. The City of London is the world’s leading international financial and related business services centre. The City of London Corporation provides local government services for this financial and commercial heart of Britain, the ‘Square Mile’.
- 1.2. Whilst primarily a business district, the City of London has a significant residential population and an expanding night life which is enjoyed by many thousands of residents and visitors. In order to maintain the City of London’s reputation as a safe City, an active night time economy brings with it additional costs for the Corporation, the City Police, and other services dealing with public nuisance and crime & disorder.
- 1.3. The Police Reform and Social Responsibility Act 2011 (PRSR) amends and supplements the Licensing Act 2003 allowing local authorities to charge a levy to persons who are licensed to sell alcohol late at night in the authority’s area as a means of raising a contribution towards the cost of dealing with the late-night economy.

**2. What is a Late Night Levy?**

- 2.1. If implemented the levy would be an additional fee to be charged to those premises licensed to sell alcohol during the supply period. The supply period must begin at or after midnight and end at or before 6 am. For example, if the supply period was set between 1am and 6am then every premises licensed to sell alcohol within the City of London, at any time during that period, would be subject to the levy.
- 2.2. The amount of the levy has been set by regulation and is calculated according to the rateable value of the premises. If implemented, the levy would be collected alongside the annual licence fee.

| Rateable Value (£) | Rateable Band | Amount of Levy (£) |                   |
|--------------------|---------------|--------------------|-------------------|
|                    |               | Annual Levy        | Weekly Equivalent |
| 0 – 4,300          | A             | 299                | 5.75              |
| 4,301 – 33,000     | B             | 768                | 14.77             |
| 33,301 – 87,000    | C             | 1,259              | 24.21             |
| 87,001 – 125,000   | D             | 1,365 (2,730*)     | 26.25 (52.50*)    |
| 125,001 +          | E             | 1,493 (4,440*)     | 28.71 (85.39*)    |

- \*Premises that exclusively or primarily sell alcohol for consumption on the premises
- 2.3. Only premises licensed to sell alcohol are affected by a levy. A premises only providing regulated entertainment or late night refreshment would not be included.

### 3. Why a Late Night Levy in the City of London?

- 3.1. The desirability and need of introducing a late night levy within the City of London has been discussed with the City of London Police. Although the number of alcohol related crimes have decreased in the last two years, there remains a significant number occurring between midnight and six in the morning.
- 3.2. Alcohol related crimes include any of the following where alcohol has been an aggravating factor:
- Violence against the person (common assault, actual bodily harm, grievous bodily harm)
  - Public order offences (relative to the Public Order Act 1986)
  - Drunk and Disorderly

Although not a ‘recordable’ offence, drunk and disorderly is included due to the inordinate amount of police time taken in dealing with it.

- 3.3. The number of alcohol related crimes that have taken place within the City of London during the past two years between midnight and 06.00 a.m. can be seen in the tables below. This accounts for over 50% of the total number of alcohol related crimes that take place within the City of London.

| Offence Category   | Drunk & Disorderly | Violence With Injury | Violence Without Injury | Public Order Offences |
|--|--------------------|----------------------|-------------------------|-----------------------|
| <b>Statistics For The Year</b>                                     |                    |                      |                         |                       |
| <b>1<sup>st</sup> November 2012 – 31<sup>st</sup> October 2013</b> |                    |                      |                         |                       |
| 0000 - 0100  | 13                 | 16                   | 5                       | 9                     |
| 0100 - 0200  | 8                  | 35                   | 14                      | 8                     |
| 0200 - 0300  | 8                  | 28                   | 6                       | 5                     |
| 0300 - 0400  | 15                 | 22                   | 6                       | 2                     |
| 0400 -0500   | 2                  | 11                   | 5                       | 3                     |
| 0500 - 0600  | 2                  | 2                    | 2                       | 2                     |
| <b>Total</b>   | <b>48</b>          | <b>114</b>           | <b>38</b>               | <b>29</b>             |
|  |                    |                      | <b>Grand Total</b>      | <b>229</b>            |

| Offence Category  | Drunk & Disorderly | Violence With Injury | Violence Without Injury | Public Order Offences |
|---|--------------------|----------------------|-------------------------|-----------------------|
| Statistics For The Year                                       |                    |                      |                         |                       |
| 1 <sup>st</sup> November 2011 – 31 <sup>st</sup> October 2012 |                    |                      |                         |                       |
| 0000 - 0100   | 29                 | 20                   | 14                      | 9                     |
| 0100 - 0200   | 13                 | 15                   | 7                       | 2                     |
| 0200 - 0300   | 11                 | 26                   | 9                       | 6                     |
| 0300 - 0400   | 14                 | 20                   | 6                       | 10                    |
| 0400 - 0500   | 14                 | 9                    | 6                       | 3                     |
| 0500 - 0600   | 6                  | 7                    | 1                       | 1                     |
| <b>Total</b>  | <b>87</b>          | <b>97</b>            | <b>43</b>               | <b>31</b>             |
|   |                    |                      | <b>Grand Total</b>      | <b>258</b>            |

3.4. The costs involved in policing the night time economy relate primarily to staffing costs. Operational requirements arise from intelligence, statistics and specific taskings. To ensure appropriate levels of staff are on duty at any given time a format known as ‘minimum numbers’ is used and relates to the minimum number of all ranks that would be on duty at any given time.

3.5. Night duties are deemed to be any time between 20:00 and 06:30. Enforcing the night time economy between these hours costs the Police just over £2m. (The period relevant to the late night levy is almost 60% of the total hours expenditure for night duties). The £2m is made up approximately as follows:

|                                      |                   |
|--------------------------------------|-------------------|
| • Uniform Policing                   | 1,543,882         |
| • Intelligence and Information       | 335,070           |
| • Criminal Investigations Department | 252,570           |
| <b>Total:</b>                        | <b>£2,131,522</b> |

3.6. In addition to the above costs, around 150 of the alcohol related crimes involve further investigation at a cost of approximately £645,000.

3.7. The above figures are minimum costs. They do not take into account sudden specific needs involving extra resources and overtime. Additionally, where crimes above involve violent disorder, grievous bodily harm, and attempted murder etc., further investigative costs can amount to hundreds of thousands of pounds for them alone.

3.8. Compared to other areas, crime numbers in the City of London are low. However, the City of London Police have the same need to respond to Home Office requirements to reduce crime as well as the ongoing need to respond to the fear of crime regularly

identified in the British Crime Survey. If there are any improvements in crime reduction to be had, it is the duty of the City Police to identify appropriate areas to respond and fund those in any way it can.

### City of London Code of Practice and Risk Scheme

- 3.9. In April 2013 the City of London introduced a Code of Practice with the aim of providing premises licence holders guidance on good practice in the promotion of the four licensing objectives.
- 3.10. In addition to the Code, a ‘Traffic Light’ risk scheme was introduced as a tool to assist the Corporation in identifying, at an early stage, those premises that may be having difficulty in promoting the licensing objectives.
- 3.11. The intention is that the risk scheme assists greater partnership working with licensed premises, helping to identify areas that are not working quite right, putting an action plan in place to rectify the problems thus avoiding unnecessary formal action at a later date.
- 3.12. The operation of the scheme is currently being funded on a temporary basis which is unsustainable in the long term. Funds raised through the late night levy would help to fund the scheme on a permanent basis and permit the Corporation to work even closer with licensed premises with the joint aim of providing a safe place for people to go and enjoy the night time economy (see also 5.10 to 5.12).

## 4. How much would a Late Night Levy raise?

- 4.1. The City of London currently has 747 premises licensed to sell alcohol of which 290 premises are licensed to sell alcohol after midnight. The total number of premises licensed to sell alcohol between midnight and 6 a.m. can be seen in the table below.

| Premises Rateable Band | Fee Per Premises In Each Band | Number of premises that sell alcohol in each of the hour bands between midnight and 06:00 a.m. |               |               |               |               |               |  |
|------------------------|-------------------------------|--|---------------|---------------|---------------|---------------|---------------|--|
|                        |                               | 00:01 - 01:00  | 01:01 - 02:00 | 02:01 - 03:00 | 03:01 - 04:00 | 04:01 - 05:00 | 05:01 - 06:00 |  |
| A                      | £299                          | 1  | 1             | 5             | 0             | 0             | 0             |  |
| B                      | £768                          | 6  | 2             | 3             | 4             | 1             | 0             |  |
| C                      | £1,259                        | 56   | 43            | 16            | 1             | 0             | 2             |  |
| D                      | £1,365                        | 13   | 11            | 11            | 0             | 0             | 3             |  |
| D (multiplier)         | £2,730                        | 2  | 5             | 3             | 1             | 1             | 0             |  |
| E                      | £1,493                        | 32   | 25            | 12            | 2             | 0             | 1             |  |
| E (multiplier)         | £4,440                        | 6  | 8             | 5             | 7             | 1             | 0             |  |
| <b>Total</b>           |                               | <b>116</b>   | <b>95</b>     | <b>55</b>     | <b>15</b>     | <b>3</b>      | <b>6</b>      |  |

- 4.2. If every one of the above 290 premises paid a Levy it would raise approximately £475,000 each year. At least 70% of this sum has to be paid to the City of London Police with the remainder being kept by the City Corporation in order to help fund activities aimed at decreasing crime and disorder associated with the night time



economy (see also 5.10 to 5.12).

- 4.3. However, it is likely that some of the premises that do not open beyond midnight on a regular basis, but have a licence to do so if they so wished, would vary their licence to bring forward the terminal hour for alcohol sales to midnight. This service would be free of charge for a three month period following an announcement that a levy would be introduced and would take a premises outside of the levy period. Based on the experience of other local authorities, this figure can be as high as 30% of the total number of premises selling alcohol after midnight which, in the case of the City of London, equates to 87 premises.
- 4.4. There are various costs associated with operating a Late Night Levy which would be incurred by the City Corporation. These costs have been calculated to be approximately £15,000 to cover the first year period up to the 31 March 2015. These costs may increase or decrease in future years. This administration cost can be taken from the money raised through a Levy before it is allocated to the City Corporation and the Police.
- 4.5. The City Corporation can use the levy to support participation by premises in best practice schemes by applying a 30% discount to those premises who so participate. It is recommended that any premises meeting the criteria enabling them to gain a City of London's Safety Thirst Award would receive a reduction on their levy payment.
- 4.6. By offering such a discount, it is hoped that premises would be encouraged to participate in the Safety Thirst scheme with the aim of reducing alcohol related crime and disorder.
- 4.7. The table below shows how much money is likely to be produced from the introduction of a levy for different levy periods. Each row shows the amounts for a levy period which is gradually reducing in time by taking back the start time of the levy period. Row one for example, showing money raised if the levy period was for the full six hours and ran from midnight to 06:00 a.m. The last row shows money raised if the levy period was only for one hour between 05:00 and 06:00 a.m.

The columns in the table refer to the following:

- A – Total amount raised if all 290 premises were to pay the levy without any deductions.
- B – Total amount raised if 30% of all premises varied their hours to bring them outside the levy period.
- C – Total amount raised from 70% of the premises less £15k to administer the scheme.
- D – Total amount raised from 70% of the premises less the administration costs and less a discount of 30% to account for premises participating in the Safety Thirst Award Scheme.
- The final two columns is the amount in column D split between the City Corporation and the City of London Police, with 70% going to the Police and 30% to the City Corporation.

|   | A       | B       | C       | D       | Local Authority Portion | Police Portion |
|---|---------|---------|---------|---------|-------------------------|----------------|
| Amount raised if Levy introduced from midnight to 06:00 | 474,949 | 332,464 | 317,464 | 222,225 | £ 66,668                | £ 155,558      |
| Amount raised if Levy introduced from 01:00 to 06:00    | 301,917 | 211,342 | 196,342 | 137,439 | £ 27,488                | £ 109,951      |
| Amount raised if Levy introduced from 02:00 to 06:00    | 144,435 | 101,105 | 86,105  | 60,273  | £ 12,055                | £ 48,219       |
| Amount raised if Levy introduced from 03:00 to 06:00    | 57,171  | 40,020  | 25,020  | 17,514  | £ 3,503                 | £ 14,011       |
| Amount raised if Levy introduced from 04:00 to 06:00    | 16,044  | 11,231  | N/A     | N/A     | N/A                     | N/A            |
| Amount raised if Levy introduced from 05:00 to 06:00    | 8,106   | 5,674   | N/A     | N/A     | N/A                     | N/A            |

## 5. What will Levy funds be spent on?

- 5.1. At least 70% of net revenue raised by the levy must be paid to the City of London Police. In order to meet the requirements of both the Police and the City Corporation it is suggested that the minimum 70% be given to the Police with the remaining 30% going to the City Corporation.
- 5.2. There are no restrictions placed by legislation on how the Police are to spend their portion of the levy. Fears have been expressed in other areas, particularly other London Boroughs, that money raised through a levy and given to the Police could be spent in areas that are totally unrelated to the local authority collecting the money. However, the City of London Police work exclusively within the City of London and any such fears would not therefore be realised. The Police have indicated that any money raised will be spent in areas outlined in sections 5.5 to 5.9 below.
- 5.3. There are restrictions placed on the types of activities that licensing authorities can fund with the levy revenue to ensure that money is spent on tackling alcohol related crime and disorder namely:
- The reduction or prevention of crime and disorder
  - The promotion of public safety
  - The reduction or prevention of public nuisance
  - The cleaning of any highway maintainable at the public expense within the City of London (other than a trunk road) or any land to which the public are entitled or permitted to have access with or without payment and which is open to the air
- 5.4. If a levy was introduced, the City of London licensing authority would spend any money raised on the areas outlined in sections 5.10 to 5.12 below.

### Portion allocated to City of London Police

- 5.5. To cover the costs associated with licensing hearings, advice and objections to Temporary Event Notices (TEN's etc.), is estimated as being between £20,000 and £30,000 per annum. It is clear that the police (as a responsible authority) are the key contributor when it comes to identifying a need for a realistic objection to a grant, variation or submission of a TEN.

- 5.6. Funding three additional officers to run an effective ‘action team’ within the licensing department. The team would actively target the licensed premises that have been identified via the Force Intelligence Bureau (FIB) as premises that are responsible for the majority of crime and or disorder occurring at their premises. They would work with those premises so that they can achieve better results in promoting the licensing objectives. Furthermore it would fall to them to identify persistence in failures and contraventions of licensing conditions.
- 5.7. The night time economy has grown considerably in the City of London since the evolution of the police Licensing Team to its current form; however the team has not been expanded accordingly. Over time several “problem” premises have been identified but, owing to a lack of tangible high-grade evidence, it has taken a considerable amount of time to deal effectively and efficiently with them. The extra three staff would facilitate preventative measures in order that further, more formal action is not necessary.
- 5.8. Covert operations to detect offences and as a consequence supply high-grade evidence of licensing offences allowing early intervention would also be funded. This role needs to be carried out by trained officers (sometimes from other forces), as the City’s own licensing officers are known. Past experience would suggest this activity would occur approximately five or six times a year.
- 5.9. In addition, it would allow the Licensing Action Team to further its partnership working with the London Fire Brigade, Security Industry Association, and Trading Standards to be available to engage/detect/advise and enforce where the evidence is overwhelming; to learn lessons and to continue to promote good practice.

#### **Portion allocated to City of London Corporation**

- 5.10. The City Corporation would use the money raised from a Levy in two areas. Firstly, it would go towards funding a post to operate the Code of Practice and Risk Assessment scheme. The postholder would work closely with all licensed premises in an advisory capacity in order that they have the best possible chance of promoting the licensing objectives.
- 5.11. Secondly, the City Corporation would fund a team of officers to work during the period midnight to 06:00 a.m. Officers would be able to respond speedily to complaints from members of the public where they are being disturbed by excessive noise. This will allow officers to see the problems as they are occurring and take the appropriate action. In the majority of cases this would involve working in partnership with the licensed premises in question to alleviate problem areas.
- 5.12. The cost to the City Corporation would be approximately:
- Additional Post - £57k. (This amount includes other charges associated with the post and is not solely salary).
  - Night time response - £23k

## 6. What should be the Late Night Supply Period?

- 6.1. Data provided by the City of London Police show that the period midnight to 06:00 a.m. accounts for the majority of alcohol related crimes committed in the City of London.
- 6.2. Just over 50% of violent crimes committed in the City are alcohol related whereas between mid-night and 6 a.m. 80% of violent crimes committed are alcohol related.
- 6.3. The Government has indicated<sup>1</sup> that the Late Night Levy charges are designed to reflect an estimate of the number of police hours that may be required as a result of premises opening beyond midnight. It was estimated that, very broadly, one hour of a police officer's time may reasonably be expected to be incurred for every two hours that a large premises opens late (This was not intended to provide an accurate assessment of how much the late night economy costs police forces, but provided a means for setting an appropriate Levy charge based on the principle that police resources are employed as a result of premises opening late). To ensure that the charge was fair and proportionate on business, proportionately smaller charges were set for premises with a lower rateable value.
- 6.4. Police data above show that alcohol related crimes are being committed on a regular basis from midnight. Therefore, in order to use the money raised through a Levy in the most efficient and cost effective manner, it is proposed that any Levy period should be between the hours of midnight and 6 a.m.

## 7. What exemptions should be allowed?

- 7.1. Certain types of premises may be granted an exemption as prescribed in regulations. These are as follows:
  - **Premises with overnight accommodation:** This exemption is not applicable to any premises which serve alcohol to members of the public who are not staying overnight at the premises, such as a hotel bar which can be accessed by the general public.
  - **Theatres and Cinemas:** Premises in this category must ensure that, during the late night supply period, the sale of alcohol is only made for consumption on the premises to ticket holders, participants in the production or invited guests to a private event at the premises.
  - **Bingo Halls:** Premises must be licensed and regulated under the Gambling Act 2005 and the playing of bingo is the primary activity carried on at the premises.
  - **Community Amateur Sports Clubs (CASC):** This exemption only applies to those premises registered as a CASC under section 658 of the Corporation Tax Act 2012.

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<sup>1</sup> 'Dealing with the problems of late night drinking - secondary legislation consultation' (Home Office Impact Assessment)

- **Community premises:** Premises in this category must have successfully applied for the replacement of the mandatory ‘designated premises supervisor’ condition.
- **Country village pubs:** Not applicable in the City of London.
- **New Year’s Eve:** This applies to premises which are authorised to sell alcohol in the supply period only by virtue of the fact they are permitted to supply alcohol during this period on 1<sup>st</sup> January each year.
- **Business Improvement Districts (BIDs):** Licensing authorities can offer an exemption from the levy for premises which participate in BIDs that operate in the night time economy. There are currently no BIDs within the City of London.

7.2. It is envisaged that no exemptions will be given in the City. All premises falling in one or more of the above categories and authorised to sell alcohol between midnight and 06:00 a.m. do contribute, to some extent, to the cost of policing the late night economy. Further rationale for not applying any exemptions is that this approach creates a level playing field for all affected premises and keeps administrative burdens and costs to a minimum.

## 8. What reductions should be allowed?

8.1. In addition to the above a licensing authority can also offer a reduction to:

- Premises that are in receipt of Small Business Rate Relief and have a rateable value of £12,000 or less. The reduction is only available to premises that supply alcohol for consumption on the premises.
- Membership to a suitable best practice scheme designed to reduce alcohol crime and disorder.

8.2. The City of London currently operates a Code of Practice and Risk Assessment Scheme whereby premises accumulate points for activities which are detrimental to one or more of the licensing objectives. When a certain number of points are reached, actions will be agreed between the licensing authority and the premises with the aim of reducing, and finally eliminating, the detrimental activities. From 2014 this scheme is to be linked with the Corporation’s award scheme ‘Safety Thirst’ for well-run licensed premises where patrons can drink safely.

For more information on the Code of Practice and Risk Assessment Scheme please go to [Code and Risk Scheme](#).

8.3. The Council is eager to encourage premises to participate in their Safety Thirst scheme that actively works to reduce crime and disorder in the late night economy. Therefore it is proposed that if a Levy were to be introduced, compliance with the scheme would attract a 30% reduction which is the maximum permitted under legislation.

8.4. It is not proposed that the reduction be applied to those premises in receipt of a Small Business Rate Relief. The fact that premises are in receipt of rate relief does not diminish their contribution to the cost of policing the night time economy. However, those premises do have the opportunity of meeting the Safety Thirst criteria and obtaining a reduction of 30% on their Levy payments through that means.

## **9. General Considerations**

- 9.1. The night time economy does provide significant economic benefits for the City of London and the City Corporation must examine any potential detriments that might be caused by the introduction of the Late Night Levy.
- 9.2. The Late Night Levy will range from £299 to £4,440 per year. This is the equivalent of between 82p and £12.19 per day. It is considered unlikely that this would have a detrimental effect on affected businesses or cause them to change their operations. The Government has said<sup>2</sup> that premises are expected to make higher profits than the cost of the Levy and thus not be dissuaded from operating (as distinct from possessing authorisation allowing them to operate). They consider that 25% is a reasonable estimate of the proportion of premises that may seek to avoid the Levy, by changing their authorisation where they do not actually operate during those hours. But they also say that they expect that only a very small proportion of premises will reduce their actual operating hours to avoid the Levy.
- 9.3. The UK Government sets the amount of the Late Night Levy and has not indicated that it intends to increase the amount of the Levy regularly. It has indicated that it proposes to review the whole policy in 2017. On this basis, the introduction of the Levy is not expected to significantly affect the Night Time Economy in the City.
- 9.4. Some may argue that the costs of addressing crime and disorder should be financed through general taxation rather than be a burden on operators. Parliament has however created the power to introduce the Late Night Levy and require a low but significant contribution to the costs by operators. The principal has been decided by Parliament and the Corporation does not see any need to question that.

## **10. What next?**

- 10.1. A copy of this consultation document will be sent to the following persons allowing for as wide a consultation as possible:
  - Premises licence holders in the City of London
  - Responsible authorities
  - Members of the Court of Common Council
  - Other interested City Corporation services
  - Representatives of local residents

In addition to the above the consultation documents will be available on the City of London's website.

- 10.2. The consultation will commence on Wednesday 26 February 2014 and finish on Tuesday 08 April 2014.

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<sup>2</sup> 'Dealing with the problems of late night drinking - secondary legislation consultation' (Home Office Impact Assessment)

10.3. If a levy is introduced it will commence from October 1 2014. An announcement will be made in June 2014 allowing three months for licence holders to make a free application to vary their licence if they wish to avoid paying the levy.

10.4. The approximate timetable if a levy was to be introduced is as follows:

|                  |  |
|------------------|--|
| 26 February 2014 | Consultation commences   |
| 08 April 2014    | Consultation finishes  |
| April 2014       | Consideration and analysis of survey results   |
| April 2014       | Report to Licensing Committee  |
| May 2014         | Report to Court of Common Council  |
| June 2014        | Announcement of decision   |
| Jul-Sep 2014     | Determination of applications to vary a premises licence to take licence outside the levy period (if required) |
| October 2014     | Start of Levy Year   |

## **11. How can I express my views?**

11.1. Complete the questionnaire attached to this consultation document (pages13-17) and send it to:

Licensing Service  
Levy Consultation  
Walbrook Wharf  
Upper Thames Street  
EC4R 3TD

11.2. Alternatively email a copy of the completed questionnaire to [licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk).

11.3. Further documentation can be downloaded from our web site or we can send you a copy on request. For further information please call the licensing team on 020 7332 3406.

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# CITY OF LONDON CORPORATION

## LATE NIGHT LEVY

### CONSULTATION QUESTIONNAIRE

#### Question 1

It is proposed that a Late Night Levy be introduced in the City of London in order to assist in the funding of the reduction and prevention of crime and disorder in connection with the late night supply of alcohol.

a) Do you agree that a late night levy should be introduced in the City of London? Yes/No

b) If not please give your reasons below?

(n.b. If you answer 'No' to this question, any further answers will only be taken into consideration if a Levy is introduced. Your opposition to the introduction of a Levy will still be noted and be of prime consideration in any decision made).

#### Question 2

It is proposed that the Levy should be introduced for those premises who supply alcohol between the hours of midnight and 6 a.m.

a) Do you agree that if a levy was to be introduced it should operate between these times? Yes/No

b) If not, during what time period do you think the levy should operate and why?

1am – 6am

2am – 6am

Any other time span

(please state which time span)

Reasons for your choice of time period:

### Question 3

It is proposed that no premises should be exempted from paying the Levy.

a) Do you agree that there should be no exemptions? Yes/No

b) If not, which of the following types of premises do you think should be exempted from paying the levy? (mark each one you think should be exempted).

- |                                |                          |
|--------------------------------|--------------------------|
| Overnight Accommodation        | <input type="checkbox"/> |
| Theatres & Cinemas             | <input type="checkbox"/> |
| Bingo Halls                    | <input type="checkbox"/> |
| Community Amateur Sports Clubs | <input type="checkbox"/> |
| Community Premises             | <input type="checkbox"/> |
| New Year's Eve                 | <input type="checkbox"/> |
| Business Improvement Districts | <input type="checkbox"/> |
| No Exemptions                  | <input type="checkbox"/> |

c) If you have ticked one or more of the boxes above please give your reasons below.

### Question 4

It is proposed that premises meeting the necessary 'small business rate relief' criteria should not be entitled to a reduction in Levy.

a) Do you agree that such premises should not receive a reduction? Yes/No

b) If not, please give your reasons below?

#### Question 5

It is proposed that those premises meeting the requirements of the Safety Thirst Award Scheme should be entitled to a 30% reduction in their Levy payment.

- a) Do you agree that such premises should receive a 30% reduction?  
Yes/No
  
- b) Please give your reasons below.

#### Question 6

It is proposed that the income raised from the Levy should be divided between the City Corporation and the City of London Police with 30% going to the City Corporation and 70% to the Police.

- a) Do you agree that the net revenue from the levy should be split in this way? Yes/No
  
- b) If not, please give your reasons for this and the split you feel would be more appropriate (Please remember that the City of London Police cannot receive less than 70%).

Question 7

It is proposed that that income from the Levy received by the City Corporation will be spent in accordance with paragraphs 5.10 and 5.11 of this document.

a) Do you agree with the way in which the City Corporation will spend their portion of the levy. Yes/No

b) If not, please give your reasons below and any suggestions you have for ways in which the money can be spent (please remember that the money can only be spent on those areas described in paragraph 5.3 of this document.

Question 8

a) Do you agree with the way in which the City of London Police will spend their portion of the Levy? Yes/ No

b) If not, please give your reasons below giving examples where possible of how you think the money would be better spent.

Question 9

Have you any other comments to make regarding the introduction of a Late Night Levy?

Thank you for completing this questionnaire. Could you please indicate below the capacity in which you are making your comments?

|  |                          |
|--|--------------------------|
| Licensed Premises (with licence to sell alcohol after Mid-night)         | <input type="checkbox"/> |
| Licensed Premises (with licence to sell alcohol no later than Mid-night) | <input type="checkbox"/> |
| Non-Licensed Business (no licence to sell alcohol)                       | <input type="checkbox"/> |
| Resident   | <input type="checkbox"/> |
| Alderman or Common Councilman  | <input type="checkbox"/> |
| Other (please state)   | <input type="text"/>     |

We are happy to accept the consultation questionnaire anonymously but if you would like to tell us who you are then please complete your details below:

Name: \_\_\_\_\_

Organisation you represent (if relevant): \_\_\_\_\_

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## Analysis of Consultation

### Questions 1-2

Question 1 - Do you agree that a late night levy be introduced in the City of London?

Question 2 - Do you agree that if a levy was to be introduced it should operate between midnight and 6 a.m.? *(Those responding in the first column '12-6' agree with this statement).*

| <u>Category of Respondent</u>   | Total Respondents | Q.1       |           | Q.2       |           |          |          |
|---------------------------------|-------------------|-----------|-----------|-----------|-----------|----------|----------|
|                                 |                   | Yes       | No        | 12-6      | 1-6       | 2-6      | Other    |
| Selling alcohol after midnight  | 18                | 9         | 8         | 3         | 6         | 4        | 3        |
| Selling alcohol before midnight | 16                | 13        | 3         | 10        | 3         | 0        | 0        |
| Other Businesses                | 0                 | 0         | 0         | 0         | 0         | 0        | 0        |
| Residents                       | 5                 | 5         | 0         | 5         | 0         | 0        | 0        |
| Members                         | 12                | 12        | 0         | 10        | 2         | 0        | 0        |
| Other                           | 19                | 7         | 11        | 7         | 1         | 3        | 2        |
| <b>TOTAL</b>                    | <b>70</b>         | <b>46</b> | <b>22</b> | <b>35</b> | <b>12</b> | <b>7</b> | <b>5</b> |

### Question 3

Question 3 – Do you agree that there should be no exemptions from paying the levy? *(Those responding in the 'none' column agree that there should be no exemptions. Other columns represent the number of respondents that feel a particular category should be exempted).*

| <u>Category of Respondent</u>   | Q.3       |           |           |          |          |                |             |          |
|---------------------------------|-----------|-----------|-----------|----------|----------|----------------|-------------|----------|
|                                 | None      | Hotels    | Theatre   | Bingo    | Sports   | Comm-<br>unity | New<br>Year | B.I.D.'s |
| Selling alcohol after midnight  | 4         | 5         | 3         | 2        | 3        | 3              | 5           | 1        |
| Selling alcohol before midnight | 6         | 5         | 4         | 3        | 2        | 3              | 5           | 2        |
| Other Businesses                | 0         | 0         | 0         | 0        | 0        | 0              | 0           | 0        |
| Residents                       | 5         | 0         | 0         | 0        | 0        | 0              | 0           | 0        |
| Members                         | 6         | 4         | 4         | 0        | 2        | 3              | 2           | 1        |
| Other                           | 9         | 4         | 2         | 2        | 0        | 1              | 6           | 4        |
| <b>TOTAL</b>                    | <b>30</b> | <b>18</b> | <b>13</b> | <b>7</b> | <b>7</b> | <b>10</b>      | <b>18</b>   | <b>8</b> |

## **Questions 4-8**

Question 4 – Do you agree that businesses meeting the ‘small business rate relief’ criteria should not receive a reduction?

Question 5 – Do you agree that premise meeting the requirements of the Safety Thirst Award Scheme should be entitled to a 30% discount?

Question 6 – Do you agree that the minimum 70% of the net revenue raised from the levy should go to the Police?

Question 7 – Do you agree with the way in which the City Corporation will spend their portion of the levy?

Question 8 – Do you agree with the way in which the City of London Police will spend their portion of the levy?

| <u>Category of Respondent</u>   | Q.4       |           | Q.5       |           | Q.6       |           | Q.7       |           | Q.8       |           |
|---------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
|                                 | Yes       | No        | Yes       | No        | Yes       | No        | Yes       | No        | Yes       | No        |
|                                 |           |           |           |           |           |           |           |           |           |           |
| Selling alcohol after midnight  | 8         | 7         | 12        | 2         | 10        | 5         | 10        | 4         | 10        | 3         |
|                                 |           |           |           |           |           |           |           |           |           |           |
| Selling alcohol before midnight | 12        | 2         | 10        | 4         | 11        | 3         | 10        | 3         | 12        | 1         |
|                                 |           |           |           |           |           |           |           |           |           |           |
| Other Businesses                | 1         | 0         | 1         | 0         | 1         | 0         | 1         | 0         | 1         | 0         |
|                                 |           |           |           |           |           |           |           |           |           |           |
| Residents                       | 4         | 0         | 3         | 1         | 3         | 1         | 3         | 0         | 2         | 0         |
|                                 |           |           |           |           |           |           |           |           |           |           |
| Members                         | 9         | 3         | 9         | 3         | 11        | 1         | 12        | 0         | 12        | 0         |
|                                 |           |           |           |           |           |           |           |           |           |           |
| Other                           | 8         | 9         | 12        | 4         | 9         | 6         | 8         | 6         | 7         | 7         |
|                                 |           |           |           |           |           |           |           |           |           |           |
| <b>TOTAL</b>                    | <b>42</b> | <b>21</b> | <b>47</b> | <b>14</b> | <b>45</b> | <b>16</b> | <b>44</b> | <b>13</b> | <b>44</b> | <b>11</b> |
|                                 |           |           |           |           |           |           |           |           |           |           |



## General Consultation Comments

### **Question One - Do you agree that a late night levy be introduced in the City of London?**

Placing additional financial pressure on social and leisure businesses may discourage such businesses to the detriment of City Corporation objectives (6).

Well run establishments should not be penalised, only those that have and do pose a risk (3).

The levy should not become a general tax.

Crime is low in the City. Levy is unwarranted (2).

The crime figures do not support the introduction of a LNL. There is no indication what % of alcohol related crime is attributed directly to licensed premises. The evidence does not relate the crime figures to the supply of alcohol between midnight and 6am. Alcohol related crime is a small proportion of overall crime in the City. City Corporation is already adequately funded. City of London crime figures are low compared to other areas.

It is unfair to seek funds from a class of premises because they trade during a specific period. The fee structure of licensing is currently under review and may lead to double taxation when considered with the LNL

Businesses in City of London already pay high rates. Crime in City of London is low therefore a LNL is not justified. Good practice schemes should be incentivised - they have positive impact in dealing with problems. There is no certainty that monies raised by LNL will be used to address crime and disorder.

There is no basis for introducing a LNL. Crime is low in the City. Late night licences are being granted by City of London despite the perceived problems with the NTE.

LNL will impose significant cost burden on hospitality industry, affecting viability of businesses. Business rates are high and should cover some of the costs the levy seeks to meet. Operators likely to cut back hours so as not to pay levy resulting in uniform terminal hour in the City. LNL makes no distinction between good and bad operators. Voluntary good practice schemes are more cost effective and promote a better buy in from operators

### **Question Two - Do you agree that if a levy was to be introduced it should operate between midnight and 6 a.m.?**

Little happens before mid-night. If period set at a later time it would lessen the burden on many premises

Late as possible to minimise impact on pubs and restaurants. (5)

Problems start after 11p.m. therefore period should start earlier

Allowing drinking until 1am discourages binge drinking before closing time.(2)

There is more risk of drunken disorder due to hardcore drinkers after 2am

Any problems associated with alcohol related crimes in the City can be addressed through BIDS and Safety Thirst.

If a LNL is adopted it should not commence before 3am as this is the time there appears to be a problem with alcohol related offences linked to the NTE

More detailed examination of crime figures is required to justify the introduction of a LNL

### **Question Three - Do you agree that there should be no exemptions from paying the levy?**

All should be treated the same except for New Year's Eve (NYE)

All premises should contribute (2)

If LNL is adopted it would be unfair to have any exemptions

Responsible suppliers of alcohol should not be penalised

Livery halls should be exempt as they do not add to the problems associated with Night Time Economy.(5)

Bingo halls should not be exempt. Everyplace where the public attends should pay the Levy

Must be a level playing field except for BIDS and NYE

Overnight accommodation, theatres, cinemas and community premises operate in a manner where it is normal to have customers consuming alcohol after midnight. Not the sort of place where trouble would be anticipated and should be exempt. NYE should also be exempt.(2)

Restaurants should be exempt. Only clubs operating after 3am should pay.

Restaurants should be exempt. Diners generally do not cause disturbance. Sports people tend not to get drunk, neither do people who go to the cinema, theatre or community premises. People traditionally get drunk on New Year's Eve into the early hours. A levy for this would be profiteering.

Drunk people in a hotel do not cause disturbance on the streets. NYE celebrations should be free of obstacles

Overnight accommodation premises do not contribute significantly to the detrimental effects of the NTE. Hotels should be exempted where they only serve alcohol to people staying overnight at the premises as they are not likely to leave the hotel and be a burden to policing the NTE. NYE should be treated as a special occasion. It is reasonable to exempt premises contributing to a BID.

Overnight accommodation premises should not have to pay if they only provide alcohol to those staying there. Theatre, cinema and Bingo Halls should not pay as they are unlikely to contribute to alcohol related crime and disorder. NYE is a national event that in the past has been deregulated and should be exempted.

Overnight accommodation should be exempt where supply is only to those staying there. NYE is a one off occasion and should be exempted. Knock on effect would be for premises to vary hours to remove NYE and then apply for TENs - an increased workload for the licensing authority. Premises in BIDs should be exempt as they contribute to the improvement of city centres.

NYE should be exempted as it is a significant public celebration. Premises in BIDs should be exempt as they contribute to the improvement of city centres.

Additional costs on community premises would impact on the inclusiveness of people in the area

### **Question Four - Do you agree that businesses meeting the ‘small business rate relief’ criteria should not receive a reduction?**

Levy should be reduced in proportion to the rate reduction

Opportunity to discount an SBBR should be taken up to limit damage to the economy of small businesses

It will be detrimental to small businesses (if they didn't get the discount) (5)

Small premises attract as much police attention - why should they get a reduce rate (3)

Businesses should be incentivised (by getting a discount)

If LNL is adopted it would be unfair to penalise large businesses. Small businesses can add to NTE problems

Small businesses qualifying for small business rate relief are not likely to sell much alcohol and should be exempted

No evidence to suggest that alcohol supplied on such premises is any less likely to contribute to crime and disorder

### **Question Five - Do you agree that premise meeting the requirements of the Safety Thirst Award Scheme should be entitled to a 30% discount?**

Everyone trading after 1a.m. should pay the Levy, there should be no financial merit for meeting the requirements of reasonable schemes

Everyone should be treated the same

Too complicated (3)

If businesses invest in best practice schemes they should have their Levy reduced.

If a levy is introduced we will consider withdrawing from all good practice schemes. These were designed, and in our opinion ensure, our premises are run in an orderly fashion. The introduction of a levy across the piece ignores this and therefore membership becomes irrelevant.

Puts in danger voluntary partnership working

As important as Safety Thirst is premises should be meeting these standards anyway. Too high a discount.

Should be more support for street cleaning

Root cause of alcohol related disorders and violence is only alcohol. Reducing alcohol supply in this supply period is the only solution

Persons applying for awards are not those employed after 1am. Awards do not translate to real change on the ground.

There should be a reward/incentive for encouraging safe drinking practices (12)

It should be incremental. 15% in the first year and 30% in following years

A scheme must be rigorous, audited and followed up with compliance visits. A 20% reduction is more reasonable

Pubwatch should also be considered for a reduction

### **Question Six - Do you agree that the minimum 70% of the net revenue raised from the levy should go to the Police?**

Not proportionate as Local Authority incur large cleaning bills

Greater percentage to the Local Authority

Should be sufficient amounts for street cleaning (2)

Local Authority should only cover administration - the rest should go to the Police

100% income to police (2)

90% to police as they bear the burden of late night drinking. 10% to City of London

There should be no levy. It will end up funding areas of LA & Police work not associated with NTE

The levy should be used to provide 'added value' to well run businesses, not just to fund existing activities and commitments

Why should the local authority get any more money. They collect business rates

Neither organisation needs more money to police a problem that has not been proven on the face of the consultation document

As there is no binding requirement for Police to spend its share in policing the NTE, the licensing authority should get its maximum possible share. Consideration should be given to the development of a joint programme which would pool the levy proceeds to maximise impact

### **Question Seven - Do you agree with the way in which the City Corporation will spend their portion of the levy?**

Not to be used simply for administration.

Money should be set aside for damage/repair and street cleansing

Money should not fund new positions in Local Authority - should support business led good practice schemes

Spending on administration and enforcement is not likely to sufficient impact or engage operators. A liaison group of operators and authorities should be set up to decide on spending priorities. This will develop collaborative approach to improving the NTE.

Money should go to police (2)

There should be no levy

It is not fair for a small portion of licensed premises to pay for a service that will benefit all licensed premises. The LNL should not be used to create a general enforcement post. Money should go towards street cleansing

Income should be used to fund enforcement of licensing and planning objectives and to increase night time street cleansing

Why should the local authority get any more money. They collect business rates

If a LNL is adopted, money would be better focused on dealing with crime and disorder associated with NTE.

Increased inspections may not have a material impact on alcohol related crimes. There is a concern that LNL proceeds will be used to fund work not linked to the NTE

The amount raised in revenue for the licensing authority may not be as much as anticipated and question whether City of London will be able to deliver its programme

### **Question Eight - Do you agree with the way in which the City of London Police will spend their portion of the levy?**

Too much emphasis on administration (2)

There should be no levy

The proposed new action team should work with licensing & planning to enforce licensing and planning objectives of NTE

The evidence indicates no link between licensed premises and alcohol related crime

The Police action team does not appear to be focussed on the NTE. Money should be used to fund extra officers on the street during the levy period

LNL proceeds should be used to provide front line policing of the NTE, not on administration

Police resources should be directed at dealing with irresponsible and criminal individuals and businesses that do not comply. Police must engage businesses.

LNL proceeds should be spent in a manner which benefits all operators who contribute eg, funding of participation in partnership schemes to benefit whole NTE. Good operators should not see their money spent on enforcement action against poor ones

### **Question Nine – General Comments**

Only charge Levy to those causing the problems (4)

Target only problem premises and not every one, particularly not Livery companies (2)

Banks should be exempt

No restriction on spending by the Local Authority - leave it flexible

If premises do not make sufficient profit to pay the Levy they can reduce their hours to bring themselves outside of the Levy period.

Companies benefitting from the late night economy should pay for enhanced policing and protection for residents

Income from LNL could be used to fund additional costs of night time parking enforcement.

Businesses still struggling with effects of recession. Rising costs have put businesses out of business; additional costs will be a burden. Closed businesses will raise no revenue for the authority. A blanket levy charge is unfair and does not take into account the real areas of risk

Livery Halls are not known for creating disturbance. They should be exempt (2)

Licensed premises have additional costs associated with provision of security staff & CCTV. No more costs (2)

Premises that have been prosecuted should pay 5x the levy for the first offence and 20x the levy for second offence

All organisations should support improvement to the social environment. The initiative needs to be carefully controlled and must not creep forward before midnight as a means of enhancing revenue

Asking businesses that only operate occasionally beyond midnight to pay the levy would be unfair

There is no requirement for a LNL in City of London. The evidence does not support it. It would be unnecessary, unfair, unprofitable and disproportionate. Results can be achieved by more effective and economic means. Problematic premises can be dealt with by way of review.

There is a concern that monies raised by the LNL will not be used by the Police or Licensing Authority for additional policing related to the NTE. A LNL will force premises into reducing hours to avoid paying the fee. Losing this amenity in City of London will be detrimental. Business rates in City of London are already high. The amount of revenue raised by a LNL could be less than expected. There is a review process under the Licensing Act 2003 to deal with problem premises. Should the introduction of a LNL be postponed until the Licensing Act 2003 fees review is complete?

The LNL is a significant tax to be imposed on premises already struggling financially. Crime is low in City of London. Many premises will vary hours to fall outside of LNL period.

*\*n.b. Figures in brackets represent the number of similar comments made*



**LATE NIGHT LEVY CONSULTATION**  
**A SUBMISSION BY THE ASSOCIATION OF LICENSED MULTIPLE RETAILERS**

The Association of Licensed Multiple Retailers (ALMR) welcomes the opportunity to submit additional written evidence to the City of London's consultation on the introduction of a late night levy. As the only national trade body dedicated to representing licensed hospitality, including late night businesses, we are well placed to do so. A significant number of our members operate within the City of London and will be directly affected by the proposed levy. Whilst some of these will be larger, modern bars with a significant food or entertainment offer, many will be traditional wet led outlets; all are substantive and sizeable employers and all are opposed to the proposals. This response builds on our earlier submission to the original levy consultation.

**Background & Overview**

The night time economy is one of the UK's primary economic sectors and makes a positive contribution:

- Generates £66 billion in revenue - 6% of UK turnover
- Employs 6% of the UK workforce – 550,000 directly and 450,000 indirectly
- Accounts for 8% of UK firms – two thirds of them small businesses
- Paying 46% of turnover in taxes - funding vital public services
- Generating £209k GVA per outlet for the wider local economy
- Serving 20 million meals a week, 3.6 million cups of coffee and 15 million customers
- Investing on average 8% of turnover directly in crime reduction, rising to 11% for late night businesses
- Participating in industry schemes like Best Bar None, Purple Flag, Pub/ClubWatch and BIDs

In the City of London, the **importance of the sector in terms of employment and job creation** should not be under-estimated. Leisure is the second largest employer, generating 21% of all jobs in the City compared to 30% in business services. ALMR research suggests the 747 licensed hospitality businesses in the City employ over 17,000 people and generate a GVA of more than £142 million a year; premises licensed after midnight contribute more per site to this measure than comparable venues which close earlier. This positive job creation record could be jeopardised as a result of the additional costs of a levy or the reduction in profits some businesses will face by closing earlier to avoid the costs; bringing closing hours forward to before midnight may have the effect of removing a full shift.

The City Prospectus identifies **hospitality as playing an important role in the City's economy and society** and in particular in maintaining the City's status as a pre-eminent business centre. In recent years, the industry has invested heavily in retail redevelopment and regeneration initiatives across the City which have transformed it from a district which closed down in the early evening, on bank holidays and at weekends to one which fulfils the Prospective objective to "meet the high expectations of the business, resident, student and visitor community". A recent economic paper produced by the Greater London Authority estimated that on average, for all London Boroughs, despite crime and disorder costs local authorities are net beneficiaries from the NTE, with a cost-benefit ratio of between 1:5.5 and 1:8.8; this rises to 1:26.5 in the City, underlining the importance of the sector to the local economy.

The night time economy is not just an important economic business sector in its own right, it also **underpins the success and contribution of other businesses** within the city. A vibrant, eclectic and attractive licensed hospitality offer attracts leisure spend throughout the day as well as the evening and is vital to supporting and sustaining the city's events, retail and tourism communities. Visitors, residents and businesses, depend on a

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diverse range of eating and drinking out outlets. The businesses that thrive and provide a vibrant late night offer are often the same businesses which provide those services throughout the day – and vice versa.

The health of the sector and the economy are interlinked and measures such as the levy which undermine late night businesses will have a knock on effect on the viability of trade during the day and evening. A late night levy will therefore result in businesses either closing earlier or focusing on quick, volume sales, particularly high-margin alcohol sales, resulting in a less diverse NTE going forward. The proposals risk damaging the City's reputation and image as a "7 days a week, late night economy" as identified in the City Prospectus.

It is worth noting in this context that City's night time economy is in direct competition with neighbouring Boroughs. The levy could adversely impact the council's strategic objective of capturing more and different leisure visitors. The proposals would therefore place City at a further **competitive disadvantage**.

Clearly, the City attracts a large proportion of workers and other visitors who, together with residents, have an eating and drinking spend which increases the area's GDP. It is important that this is not only recognised but taken into account in any analysis of crime and disorder figures – the true metric is crime per head not resident or visitor for example– and in any final assessment of the socio-economic risk of imposing a levy.

While the consultation briefly acknowledges the vibrancy and dynamism of the NTE, we are disappointed that it does not recognise that the **majority of users enjoy the late night economy safely and responsibly**. HMIC data reveals significantly lower levels of violent crime in the City per capita than in the next-best force; this will be significantly reduced if plotted against the large number of visitors. HMIC also reports crime being "broadly stable between the years ending March 2011 and March 2012 and fell between the years ending March 2012 and March 2013". Indeed, the City of London has, in other circumstances, promoted itself as a low crime area.

The consultation also fails to take due account of the fact that the majority of licensed hospitality **businesses in the City work hard and invest heavily in minimising any nuisance or problems which may arise**. Historically, the City has always recognised the need to maintain a careful balance and recognised that an effective solution to potential problems arising from the late night economy can only be delivered through a partnership approach with relevant organisation, including licensed premises. Indeed, a report published by the police in July 2013 shows that this type of multi-agency working has achieved a 1.9% reduction in violent crime – something they had thought to be "out of reach".

It is also unclear from the Corporation's proposals that the money raised by the proposed levy will be spent within the City's night time economy; rather, it appears that the revenue would be used to fund enforcement and inspection activity against already-compliant, responsible businesses. While the Corporation cannot control how the City of London Police spends its portion of the money, the Corporation should commit to using any revenue from this proposed new tax exclusively to fund activities intended to ameliorate environmental problems that may arise in a night time economy, such as litter, noise and crime, as intended by the legislation.

The current **Best Practice**, risk assessed and targeted approach is **delivering meaningful results in an already low risk environment**. It balances the conflicting demands of business, residents and visitors; ensures that action is directed at those premises causing a problem or failing to manage their businesses effectively; and avoids unduly penalising the responsible majority. The imposition of a levy risks disrupting that balance and undermining positive partnership working and, more importantly, trade support for existing initiatives such as Safety Thirst and the Good Practice Guide.

Finally, we are concerned that the proposals may undermine existing licensing policy by effectively reintroducing a terminal hour. Section 57 of the policy states that the Council will encourage longer hours and Section 73 and





74 encourage varied closing times in different areas so that “patrons leave for natural reasons over longer periods, thus minimising disturbance”. These policies were explicitly introduced to prevent a replication of previous large scale departures, whatever the hour, which the City acknowledges in its licensing policy was to the detriment of the licensing objectives. The levy will cut across this policy intent as many businesses will amend their hours as a result of its imposition.

We therefore believe that a levy would be **undesirable and inappropriate**. It would damage the economic competitiveness of the night time economy as a whole, reduce diversity and mix of outlet and would not tackle problems arising from off-sales of alcohol or consumption outside the City.

|   |
|---|
| <b>Response to Consultation Questions</b> |
|---|

**1. Do you agree that a Late Night Levy be introduced in the City of London?**

No, we do not agree that a Levy should be introduced.

The *ALMR* continues to oppose the imposition of an additional tax on late night businesses at a national and local level, particularly when it will be not be levied on all the businesses engaged in late night activity and contributing towards the anti-social behaviour and disorder problems arising from it. Businesses already face paying a series of additional local taxes in the form of supplementary business rates as well as contributing to a range of voluntary social responsibility initiatives and investing in their own internal management standards and security.

The consultation document acknowledges that crime numbers in the City of London are low and, despite almost a doubling of visitor numbers, have remained largely unchanged. Indeed, in the year ending October 2013, total alcohol related crime fell by 11% and is clearly trending downwards. A police report published in July 2013 showed that violent crime was down by almost a third in December 2012 as compared to previous years and HMIC reports also show that violent crime has fallen over the previous two years. Levels of anti-social behaviour are also declining. It is difficult, therefore, to identify the significant and serious problems which justify the imposition of a levy or require the investment of additional resources.

These falls in violent crime and anti-social behaviour took place ahead of the introduction of the City’s Good Practice Guide and Traffic Light scheme and the more proactive enforcement which accompanies them. While these schemes are by no means perfect – there is more scope to incentivise good practice through positive points and penalty points may be being over-applied where one incident involves multiple participants - both measures have the potential to reduce crime levels even further. It is, however, too early to assess the impact of either and therefore consideration of a levy is premature; its imposition may also undermine trade support for these existing measures.

What is clear, however, is that current voluntary best practice initiatives such as Safety Thirst and Best Bar None – neither of which depend on intrusive enforcement and inspections - are having a positive impact in dealing with the root cause of potential problems (rather than delaying with their after-effects) and promoting responsible retailing. By tackling problems at source and preventing them arising in the first place, we believe that this approach will be more effective at tackling alcohol related crime and disorder and thereby reducing the costs associated with policing the late night economy.

More importantly, businesses remain concerned that there is no certainty that the monies raised will be used to address specific problems in their area. We remain unclear as to how the inspection and

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enforcement activity against existing premises will reduce and prevent general problems of crime and disorder on the City streets.

**2. Do you agree that if a levy was to be introduced it should operated between midnight and 6am?**

Given that we do not believe a LNL is an appropriate and proportionate intervention in the market, we do not believe that any Late Night Supply Period should be imposed. We therefore disagree with the proposal for midnight to 6am.

**b. If not, during what time period do you think the levy should operate and why?**

The decision as to the supply period should be evidence-based and justifiable. Based on the tables on pages 2 and 3, it would appear that there may be evidence of a particular problem at 3am connected with alcohol related offences and arguably most likely in relation to consumption within the NTE. An earlier start time may mean that incidents are included in the levy period which are caused by consumption in a domestic or street setting, or outside the City, earlier in the evening.

**3. Do you agree that there should be no exemptions from paying the levy?**

While we do not support the imposition of a levy on any business we agree that, if the problems post-midnight are sufficiently serious to warrant its imposition, then all businesses selling alcohol at that time should be liable.

The only exception to this should be businesses which are licensed to sell alcohol after midnight on New Year's Eve. Prior to the introduction of the Licensing Act 2003, the Government legislated to deregulate at a national licensing hours for all premises for New Year's Eve. This was a grandfather right protected under the transition to the new licensing regime and it would be wrong for it to be removed by anything other than due legal process. The levy should not apply to premises which have a relevant late night authorisation in respect of New Year's Eve.

**4. It is proposed that premises meeting the necessary 'small business rate relief' criteria should not be entitled to a reduction in the Levy?**

No.

Given the significant additional costs a levy will impose, and the fact that this may undermine the viability of smaller businesses in particular, we believe that the Council should employ all discretionary reductions or discounts which are available to them.

**5. Do you feel that premises meeting the Safety Thirst Award Scheme should be entitled to a 30% reduction in the levy?**

Yes.

It is accepted at a national level and indeed in the Council's Licensing Policy that voluntary best practice and partnership schemes which are focused on raising management standards are far more effective than other, more blunt measures, in tackling alcohol related harms. We believe that a partnership approach which deals with the root cause of any problems and is targeted and proportionate is a better means than a flat rate levy on all business. The imposition of a levy may raise revenue to clean up any problems, but it will do nothing to deliver better management standards and encourage responsible retail practice which may prevent such problems occurring in the first place or at least make them much easier to deal with.

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Our preference remains for these schemes to be used in preference to a levy, but if a levy is to be imposed then a 30% reduction is vital to ensure that operators are not deterred from participating and the schemes are not undermined.

**6. Do you agree that the net revenue from the levy should be split with 30% going to the Local Authority and 70% to the Police? If not, how would you rather see the money spent?**

How the levy proceeds are to be split is arguably of less importance than whether a new tax should be imposed in the first place. We do not agree that it is desirable to raise the revenue through a levy; as noted above, a more collaborative partnership approach may well have delivered more effective results without the need for a levy. We urge the Council and police to continue to work in partnership with the licensed retail trade to deliver effective solutions to clearly defined problems.

**7. Do you agree with the way in which the Licensing Authority are intending to spend their portion of the levy. If you do not agree with the way in which the Licensing Authority are to spend their proportion of the levy, how would you rather see the money spent?**

We are concerned that you can only answer this question by accepting that a levy will be introduced. We do not agree with the way in which either the police or the local authority are intending to spend their portion of the levy but that does not mean that we believe the money should be otherwise spent; we do not believe that the money should be raised in the first place.

We question whether increased inspections will have a material impact on the number of alcohol related crimes on the street or general disorder and believe that this is the wrong focus of activity when existing best practice and traffic light schemes are already directed in this area. This will only further penalise and burden responsible operators but do nothing to reduce crime more generally or contribute to the costs of policing the late night economy.

The Government consultation on locally set licensing fees makes clear that these fees are to be used to fund the establishment of an appropriate licensing department. We are concerned that the Corporation is proposing to use levy proceeds to fund administrative work that is not clearly linked to eliminating or tackling problems in the NTE.

If a levy is to be introduced then the proceeds must be focused on front line policing of the NTE, not on administration.

**8. Do you agree with the way in which the Police will spend their portion of the levy?**

We are concerned that you can only answer this question by accepting that a levy will be introduced. We do not agree with the way in which either the police or the local authority are intending to spend their portion of the levy but that does not mean that we believe the money should be otherwise spent; we do not believe that the money should be raised in the first place.

We are, however, extremely concerned that the police are proposing using levy proceeds to cover their legal costs associated with taking cases against individual premises or objecting to TENs and applications. We believe that this is wholly inappropriate and could have a distortative effect on enforcement priorities and activity. As originally envisaged, the levy was designed to tackle general problems or costs associated with policing the late night economy, not individual cases which were specifically attributable to individual premises. In this way it was to provide additional resources over and above those already directed at tackling problem premises.

# ALMR

If a levy is to be introduced then the proceeds must be focused on front line policing of the NTE, not on administration.

**9. Have you any other comments to make regarding the introduction of a Late Night Levy?**

In deciding whether to introduce a late night levy, the licensing authority must bear in mind that this will be seen as a significant and substantive extra tax imposed by the Council on operators who are already struggling in the current financial climate. It will have direct consequences for business profitability and viability as well as GVA to the local economy and employment patterns.

The City of London's current low levels of crime and disorder and strong reputation for being a safe night out are dependent on attracting a wide and diverse range of customers, venues and activities after dark. Imposing a significant additional operating cost on those businesses will inevitably mean that will narrow going forward to those drink led late night businesses which can generate sufficient income to cover the levy costs and this may jeopardise the city's status, income and investment by the sector – this would not just be restricted to night time businesses but would have a knock on effect across the day-time economy. Many of our members have said that they will voluntarily vary their hours to exempt themselves from the levy – this will not only reduce the mix of businesses trading, but also reduce levy revenues.

Sections 57, 73 and 74 of the Corporation's highlight the importance of flexible licensing hours and staggered closing times in managing gradual dispersal and minimising anti-social behaviour and disturbances. If a number of premises reduce their hours as a result of the levy, this could potentially create anti-social behaviour issues with a large number of premises closing at the same time and a return to the spike of crime, disorder and nuisance at midnight observed across the country prior to the introduction of the Licensing Act 2003.

The National Alcohol Strategy states that targeted action taken voluntarily by pubs and clubs themselves is most effective in curbing irresponsible drinking and associated drunken violence. The Home Secretary, Theresa May, in publishing the strategy, suggested that a legislative approach, either national or local, was a 'sledgehammer' which all too often misses its target and that a partnership approach was more effective. This is demonstrably the case in the City of London and our concern is that the imposition of a flat rate tax may undermine this and the businesses the Corporation needs to realise its strategic ambitions for the City.

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2 April 2014

Our Ref: GBH/MXS/09856

Dear Sirs

**Response to Consultation Questions as set out in the Consultation Document on the introduction of a Late Levy in the City of London**

This firm acts on the behalf of the Grange Hotels Group and specifically within the City of London for the Grange St Pauls on Carter Lane and the Grange City in Coopers Row, the first of which lays adjacent to St Pauls Cathedral and the second laying adjacent to the Tower of London.

The Grange City Hotel is a five star hotel which incorporates the last remaining section of the London's roman wall as a main feature and houses 307 guest bedrooms and suites and includes several bars and restaurants within. It also includes very large ballrooms and meeting rooms with conference facilities and attracts many thousands of discerning guests each year. The Grange St Pauls is another luxury five star hotel adjacent to St Pauls Cathedral and contains 433 guest bedrooms with a similar array of bars and restaurants and a nightclub. It also includes very large meetings spaces and events areas and attracts thousands of discerning guests each year. The two hotels employ hundreds of people on their staff and obviously contributes substantially to the local economy both in supporting local businessman and also the payment of non-domestic rate. It's also significant elector in City Council Elections.

This letter is submitted as the Hotel's comments on the draft late night levy proposals set out in the City Council's consultation document. We will deal with each question in turn as follows:-

**Question 1a – Do you agree that a Late Night Levy should be introduced in the City of London?**

We would make all the same points which were made in our previous submission to the previous consultation in our letter dated the 5<sup>th</sup> September 2013.

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We do not agree with the implementation of any late night levy or tax in this regard.

Firstly, the Licensing Act 2003 provides that in making a decision as to the levy the licensing authority must consider:

- (a) The costs of policing and other arrangements for the reduction or prevention of crime and disorder in connection with the supply of alcohol between midnight and 6am and
- (b) Having regard to these costs, the desirability of raising revenue to be applied in accordance with the late night levy provisions.

Since the last consultation document it is clear that the City of London were concerned about the porosity of evidence to support the police submissions in relation to the costs of policing the late night economy. The previous, rather spurious graph has now been omitted to be replaced with two tables which purport to set out the number of alcohol related crime that has taken place within the City of London during the last two years between midnight and 0600. It goes on to say that the figures in the two charts represent about 50% of the total number of alcohol related crimes that take place within the City of London.

In other words just under 50% is attributable to other hours of the day and it is submitted that given the almost 50/50 split between the so called "alcohol related crimes" between midnight and 0600 and those in the rest of day there is little justification for the imposition of a late levy on the basis of these figures alone. It is unclear why the City of London would seek to tax businesses in a difficult economic climate in relation to "alcohol related crime" occurring during the hours set out in the tables in the document when there is also equivalent number of "alcohol related crimes" occurring in the rest of the day. There is, therefore, no apparent dramatic leap in "alcohol related crimes" during the early hours of the morning compared with the rest of day.

Again, as in the previous document there is no attempt to discriminate between alcohol related crimes caused generally and those which are directly related to licenced premises. No figures are provided for the number of alcohol related crimes that occur inside domestic residences and which include violence within those residences. No figures are supplied as to the alcohol related crimes occurring in public places which are not attributable to licenced premises. Furthermore, it is not established that insofar as any crimes are related to licenced premises those premises were not outside the City of London rather than within its boundaries.

It is therefore submitted that of the 258 matters occurring in 2011/12 and 229 matters occurring in 2012/13 a significant number must be removed on the basis that not all of these figures are attributable to licenced premises. The City Council is again reminded that the licensing authority is required to consider the costs of policing and other arrangements for the reduction or prevention of crime and disorder in connection with the supply of alcohol between midnight and 0600 in its area. There is no evidence whatsoever which relates these

figures to the supply of alcohol within licenced premises during the hours in question within the City of London. It is submitted, therefore, that the figures are meaningless and cannot act as the basis for the imposition of a levy or tax across nearly 300 businesses.

The figures contained within the two tables also represent a tiny proportion of the overall figures of crime reported within the City of London. For example, total recorded crime for just the month of February 2014 and January 2014 amounted to over 600 matters in each month. Over 1200 reports of crime in just two months. The figures set out in the tables refer to 487 matters in two years. Accordingly, there is more recorded crime in total in one month in the City of London than there is in all alcohol related crimes in the last two years from the police figures. This therefore represents a tiny fraction of the overall recorded levels of crime in the City. On average of about 600 reported crimes per month in the last two years there has been a total of 14,500 reported crimes compared to 480 alcohol related matters. This represents 0.03% of the total. The figures which are quoted are from the Police.UK Crime Mapping Analyses.

In terms of the income afforded to the police by the tax, it is submitted that the City of London police already benefits from a substantial budget as set out in its recent Annual Report for 2012/2013. This report states that the City of London police recedes at £109,400,000.00 in 2012/13 compared to £103,504,000.00 in 2011/12. Its expenditure of £109,400,000.00 is exactly matched by its income in the form of grants from the Home Office and the Police Authority as well as a combination of other grants and reimbursements.

In a time of financial restraints it appears that the City of London police income has risen from £103,000,000.00 to £109,000,000.00 and there is therefore no justification for suggesting that they now require an extra £155,000.00 or 0.0014% of the overall total.

The same principles relate to the income of the Corporation of London with over a £100,000,000.00 income.

Finally, the consultation document at paragraph 3.8 admits that crime numbers in the City of London are low compared to other areas.

Accordingly, the incomplete figures provided in the consultation document cannot act as the basis for the imposition of a tax on 300 businesses within the City of London.

**Question 1(b) If not, please give your reasons below:**

For all the reasons given above the late night levy is opposed. There is simply no reliable evidence upon which a reasonable council properly directing itself could come to a conclusion that there is a requirement for a tax on 300 businesses within its area when there is no link provided between the numbers of "alcohol related crimes" and those premises. No evidence is provided by the police for the numbers of alcohol related crimes occurring within domestic residences or on the streets which are not related to licenced premises within its

area. It is submitted that many alcohol related matters are connected to domestic incidents or alternatively to the sale of alcohol and off licences including supermarkets and possibly to licenced premises outside of the City of London. In any event there is a figure which would reduce those figures set out in the tables produced in the consultation document. Those figures as we have said above also represent a tiny proportion of the overall crime levels within the City of London.

It is also submitted that if there is indeed a problem associated with "alcohol related crimes" connected to licenced premises within the City of London then these can be addressed through business improvement districts where businesses work together to raise their own money to tackle issues and through the City of London's own "safety thirst" scheme which is successful.

As we have indicated before it is for the police service within the City of London with a substantial budget running into hundreds of millions of pounds to organise its priorities and allocate resources sensibly.

**Question 2(a) Do you agree that if a levy was to be introduced it should not be between these times midnight to 0600?**

It follows that if we suggest that there should be no late night levy within the City then we can agree with the proposed time periods set out in the question.

Furthermore as we have suggested above the figures presented are unreliable and uninformative and do not give an accurate portrayal of alcohol related crimes which relate directly to licenced premises within this City of London.

Furthermore, the paper does not seek to define what is it meant by "alcohol related crime". Does this mean that those crimes related to individuals who had consumed alcohol or can it also mean reported crimes which occurred within the vicinity of licenced premises and those licenced premises were used as a marker in order to identify the location of the crime. None of this is clear from the statistics produced by the police.

Accordingly no comment can be made upon the various hours in which it is said that there is a majority of alcohol related crime because of the aforesaid reasons.

**Question 3(a) Do you agree that there should be no exemptions?**

As our client is not in support of the late night levy then it follows that it would not wish to make any comments upon any exemptions. If a policy is adopted it would seem unfair to have exemptions particularly in the case of our client's hotel group where a hotel without a nightclub would not face the tax but one with a nightclub would be subject to the tax. Again, if there is to be a policy of exemptions then there would have to be clear evidence to suggest that those falling within the exempt category have no connection with the "alcohol related



crimes" those that fall outside the categories do have that link. As we have said above there is figure work or evidence to connect any of the alcohol related crime to any licenced premises.

#### Question 4

As our client is not in agreement with the levy then it would not seek to comment in detail on the small business rate relief scheme.

Again, it would seem unfair to penalise a large premises which has no alcohol related crime whatsoever whilst exempting from the tax, a small business which might be the source of significant alcohol related crime incidents.

Again, there is no evidence to support either contention.

#### Question 5

Our client does not agree with the imposition of the late night levy in the City of London and therefore cannot comment on whether there should be a 30% reduction in the levy payment for those meeting the requirements of the safety thirst award scheme.

If the City insists on imposing such a tax and it is clear to our client that those premises who are taking part in best bar none schemes or pub watch or business improvement districts should indeed be entitled to a reduction in a levy up to the maximum 30%.

#### Question 6

For the reasons given above, our client does not agree with the imposition of a levy and by implication is not agreeing with the allocation of resources to the police and to the local authority. The reasons for this are set out in the answer to question 1 above. Both organisations benefit from substantial income in excess of £100,000,000.00 per annum and it is not accepted that either organisation needs more money to police a problem that has not been proven on the face of the consultation document.

#### Question 7

For the reasons given above the levy is opposed and the allocation of monies for such a levy are also opposed.

In making a decision as to the levy the licensing authority must consider the costs of policing and other arrangements for the reduction or prevention of crime and disorder in connection with the supply of alcohol and not public nuisance. The council's proposals seem to indicate that the allocation of money would be directed toward the employment of an officer to deal with noise nuisance in the evenings. Whilst the allocation of its share of the resources to a licensing authority maybe spent on matters involving public nuisance under the Late Night Levy (application administration) Regulations 2012 it is submitted that a more proper use

would be focused on crime and disorder which is the very reason why the levy would have been raised in the first place. Hence the reason for all the police crime figures contained within the consultation document.

To the extent that the licensing authority seeks to allocate its share of the proceeds to issues around public nuisance it is suggested that there is already schemes within the City Council area which contribute to this objective namely – “safety thirst”. The council should already have allocated reasonable resources to this project from its great levy in any event. As pointed out above the council receives an income of over £100,000,000.00 a year.

#### **Question 8**

It follows that if we do not agree with the imposition of a levy then we do not agree with the way in which the police will spend their portion of the levy.

In our respectful submission the evidence produced in the consultation document indicates no link between licenced premises within the Corporation of London and the perceived problem of “alcohol related crime”. Given that there is no evidence to establish that licenced premises are in the main the cause of alcohol related crime, it is submitted that there is no necessity for the funding of three additional police officers to this task. Officer time could be better spent and in reducing the on average 600 reported crimes per month within the corporation’s area related to anti-social behaviour, bicycle theft, burglary, crime damage and arson, drugs, thefts, possession of weapons, public order, robbery, shoplifting, theft from a person, vehicle crime and violence and sexual offences. For this the police budget is £104,000,000.00 per annum.

#### **Question 9**

We would invite the corporation to consider all the answers given above to the various questions and would suggest in conclusion that there is no requirement for a late night tax in this area imposed on 300 local businesses during a period of economic hardship and difficulty. It is out of all proportion to the rather questionable figures produced by the police in this respect. Those figures show about 500 so called “alcohol related crimes” in 24 months when there are on average 600 crime types reported every month in the City of London. Furthermore, the City of London police are in receipt of a substantial budgetary income of £104,000,000.00 per annum.

Finally, we sight the words used by Philip Colvin QC in his recent book “Licenced Premises: Law Practice and Policy” where he concludes unequivocally the follow:

*“In most cases, the introduction of the levy will be an unnecessary, unfair, unprofitable and disproportionate bureaucratic intervention. There is little that the levy can achieve which is not obtainable by more effective and economic means.”*

We would agree with those sentiments and concentrate particularly on the disproportionate element of Mr Colvin’s conclusion. If there are a few problem premises in the City of

London, which undoubtedly there are, then these may be dealt with through the existing licensing regime by way of intervention and review. It is, however, unfair to penalise the vast majority of the 300 businesses which act fully in accordance with the law and are not responsible for the alcohol related crimes reported.

Our client does not believe that a further tax on hard pressed businesses during an economic downturn such as the one we are experiencing is an inappropriate way forward. The extra taxation imposed on the 300 businesses all with licences after midnight will have a considerable impact upon all of those trading concerns. It should be remembered that the vast majority of those operating are very small businesses. This is not, therefore, a minor cost to business. It is many times the cost of premises licence to many of the businesses and it should always be remembered that all of these businesses particularly as large as our own clients contribute significantly through business rates to central government which eventually reverts back to the Corporation of London. The hotel also pays large sums in terms of security and other measures designed to ensure that the running the licenced premises does not conflict with the four licensing objectives.

Yours faithfully

*Jeffrey Green Russell limited*

**JEFFREY GREEN RUSSELL LIMITED**



**RESPONSE OF JD WETHERSPOON PLC TO THE CITY OF LONDON  
CORPORATION'S LATE NIGHT LEVY CONSULTATION  
FEBRUARY TO APRIL 2014**

**Question 1**

**It is proposed that a Late Night levy be introduced in the City of London in order to assist in the funding of the reduction and prevention of crime and disorder in connection with the late night supply of alcohol.**

**a) Do you agree that a late night levy should be introduced in the City of London?**

No.

**b) If not please give your reasons below.**

JD Wetherspoon PLC is one of the United Kingdom's largest and most well-known operators of managed pubs, employing over 33,000 people. Founded in 1979 by our current chairman Tim Martin, the company has 909 premises spread throughout England, Wales, Scotland and Northern Ireland.

During that period, the company has been at the forefront of the evolution of the pub with such initiatives as breakfast opening, increased access for families, the promotion of real ale and the wider availability of food.

The company has long established policies and procedures to ensure its premises promote the licensing objectives. We are committed to partnership working at every level to ensure that our pubs, and the late night economy in which they operate, are safe environments for our staff and customers.

As well as being a significant source of employment, especially for workers in the 18 to 25 age range, our premises are valuable social and community assets where people of all ages can eat, meet and drink in safe and comfortable surroundings.

JD Wetherspoon currently operates 4 premises in the City of London Corporation Licensing Authority area, 3 of which would be liable to contribute to the Levy on the assumption it applied to premises authorised to sell alcohol after Midnight.

Historically, we have had a constructive working relationship with the City of London Police. We oppose the imposition of the Levy but wish to reiterate that this should in no way be taken as a lessening of our commitment to continue working with the authorities in the City going forward.

We are opposed to the implementation of a Levy for several reasons. Firstly, it will impose a significant further cost burden on the hospitality industry within the City, when the overall costs the industry must pay whether for food, drink, labour and taxes continue to rise and customers' real incomes shrink impacting on profitability, and in some instances, the very viability of the businesses effected.

The Levy also follows on from a decade of significant and costly legislative change for the licensed industry starting with the Licensing Act 2003, the ban on smoking in public places and myriad other ancillary legislation during the same period all of which has increased the red tape burden, both in money and time, required for compliance.

We have calculated a total annual Levy payment for the 3 premises likely to be effected by the levy of £10,373.00

In addition to the above, we pay business rates with a reasonable expectation that some of the costs the Levy seeks to meet would be met from those. The industry is also one of the most highly taxed in the country; last financial year alone we paid almost £551,000,000 in VAT, Corporation Tax, NI, excise duty and other ancillary taxes.

We are a large national operator better placed to absorb such costs, but smaller independent operators may not, leading to a loss of individuality in the City's late night economy if those operators choose not to trade in it because of the increased financial burden. Nonetheless should the Levy be introduced we will be forced to consider the economic viability of trading our premises in the late night supply period. If there is not an economic case for remaining open, then we will not do so with a consequential impact on jobs and amenity.

It is not so much the financial impact of the Levy in isolation that should be considered, but its cumulative impact alongside the other increasing costs referred to above.

The late night economy of the City is not composed solely of businesses which may lead to crime and disorder. Many businesses impacted by the levy serve a diverse customer base visiting the numerous restaurants, cultural and business events that are a crucial part of the City's national and international appeal. It is these businesses that will be most affected by the Levy in that their trade in the Levy period may not be great in comparison to alcohol led, high volume premises and therefore have the least means to pay it. They are most likely to opt not to trade beyond the period the Levy applies leaving a likely mono-culture of larger premises and cutting down customer diversity; a diversity which has been long acknowledged as making for a more peaceable atmosphere in town and city centres.

The City of London Corporation should also consider the risk of a de facto uniform terminal hour for premises arising as operators cut back their premises licences to cease at the time the Levy applies from. This will mean more customers on the street at the same time with resultant pressure on resources such as taxis, fast food outlets and policing.

If operators do choose to pay the Levy then they will have to look to ways to generate the additional income to pay it. In a late night economy which is already very competitive this may lead to further discounted drinks promotions.

Given the economic and cultural contribution the late night economy makes to the City, the justification for imposing a greater financial burden on it needs to be a compelling one.

The fairness of the Levy should also be taken into account. We operate our premises in the City in close cooperation with the Police and other authorities. We adhere to responsible drinks retailing and steer away from those promotions which undoubtedly encourage intoxication and anti-social behaviour. The Levy however, makes no distinction between good and bad operators. The justification for a Levy in general terms has been expressed as making the polluter pay, but of course whilst the polluter does pay, so do others who contribute little to the crime and disorder the cost of reducing the levy seeks to meet

We would instead place a greater emphasis on partnership working with operators. There are many examples of successful voluntary schemes between venues and authorities which have a direct impact on reducing crime and disorder and therefore the costs of policing it. These include Best Bar None, Pubwatch, Purple Flag and Business Improvement Districts. These schemes allow venues to use their own inherent expertise and knowledge of the business

environment to effect change rather than simply being asked to fund work by others who do not have such expertise and knowledge. The schemes are therefore much more cost effective and promote a greater buy in from operators than that which will be created by a Levy which many will, with justification, view as simply an additional tax.

### **Question 2**

**It is proposed that the Levy should be introduced for those premises who supply alcohol between the hours of Midnight and 6 a.m.**

**a) Do you agree that if a levy was to be introduced it should operate between these times?**

No.

**b) If not, during what time period do you think the levy should operate and why?**

**1am – 6am**

**2am – 6am**

**Any other time span** (please state which time span)

We do not support the Levy in principle therefore do not advocate any time period for its operation.

If a Levy was to be introduced, we would argue that it should apply to true late night operators as opposed to those venues, largely pubs and restaurants, whose licences only allow them to trade a limited time after midnight, perhaps on one or two nights a week, and whose main business focus is therefore before midnight. It is not these types of venues whose customers traditionally contribute to late night disorder. It is noteworthy that from the crime figures for alcohol related violent crimes provided by the City of London Police, the highest number of crimes take place in the period from 0100 to 0300. Can it be reasonable, fair or proportionate that premises that may cease selling alcohol at Midnight, 0030 or 0100 be required to pay for dealing with crimes occurring hours after they are shut?

### **Question 3**

**It is proposed that no premises should be exempted from paying the Levy.**

**a) Do you agree there should be no exemptions?**

No

**b) If not, which of the following types of premises do you think should be exempted from paying the levy? (mark each one you think should be exempted).**

**Overnight Accommodation  
Theatres & Cinemas  
Bingo Halls  
Community Amateur Sports Clubs  
Community Premises  
New Year's Eve**

**Business Improvement Districts  
No Exemptions**

As a general principle, we do not support any proposed exemption to the Levy based on individual types of premises with the exception of New Year's Eve and premises within a Business Improvement District. The basis of the introduction of the Levy is to meet the costs of policing and other arrangements for the reduction or prevention of crime and disorder, in connection with the supply of alcohol. There is nothing inherent in any of the possible exemption categories which suggests that the alcohol supplied on such premises is any less likely to contribute to such crime and disorder.

**c) If you have ticked one or more boxes above please give your reasons below?**

Many premises which are not normally licensed to sell alcohol beyond 0000 or later will have permission for extended hours on New Year's Eve. All licensed premises which converted their old justice's on-licence will have grandfathered over a right to open until the commencement time for the sale of alcohol on New Year's Day. If a Levy exemption was not applied, such premises would face the choice of either paying the Levy for the benefit of one night's extended trading or varying their premises licence creating a significant administrative burden on them and the City of London's licensing team.

Quite apart from this consideration, New Year's Eve is one of the most significant public celebrations in the calendar and venues should be able to trade beyond midnight without paying a levy so that they can contribute to that celebration.

We refer to the benefits of partnership schemes in our response to question 1b. We note that there is no qualifying BID currently in the City of London but the availability of an exemption will be a strong encouragement to one being established. The effectiveness of BIDs in improving standards and reducing crime and disorder in the late night economy has been clearly shown in Birmingham's Broad Street and Nottingham.

**Question 4**

**It is proposed that premises meeting the necessary "small business rate relief" criteria should not be entitled to a reduction in Levy.**

**a) Do you agree that such premises should not receive a reduction?**

No

**b) If not, please give your reasons below?**

Please see our response to question 3b above.

**Question 5**

**It is proposed that those premises meeting the requirements of the Safety Thirst Award Scheme should be entitled to a 30% reduction in their Levy payment.**



**a) Do you agree that such premises should receive a 30% reduction?**

Yes

**b) Please give your reasons below**

Anything which encourages participation in best practice schemes should be encouraged. These schemes are proven to deliver real improvements in the late night economy in a cost effective way. We support a full 30% reduction for premises which meet the requirements of the Safety Thirst Award Scheme.

We would recommend however that there is not too much prescription in the type of best practice scheme which would potentially attract a reduction. Certain types of scheme are more suited to certain types of premises and the wider the range of schemes which could attract a reduction then the greater the likelihood of those schemes gaining membership and momentum.

#### **Question 6**

**It is proposed that the income raised from the Levy should be divided between the Local Authority and the City of London Police with 30% going to the local Authority and 70% to the Police.**

**a) Do you agree that the net revenue from the Levy should be split in this way?**

Yes. Given that there is no binding requirement for the Police to spend its share in policing the late night economy in the proposed Levy area, we would prefer to see the licensing authority being given its maximum possible share.

Consideration should be given to the development of a joint programme which would pool the levy proceeds to maximise impact.

**b) If not, please give your reasons for this and the split you feel would be more appropriate (Please remember that the Police cannot receive less than 70%)**

N/A

#### **Question 7**

**It is proposed that the income from the Levy received by the Local Authority will be spent in accordance with paragraphs 5.10 and 5.11 of this document.**

**a) Do you agree with the way in which the Licensing Authority will spend their portion of the levy?**

No.

**b) If not, please give your reasons below and any suggestions you have for ways in which the money can be spent (please remember that the money can only be spent on those areas described in paragraph 5.3 of this document)**

We are concerned that the focus of the spending is either on administration or enforcement neither of which we consider likely to have sufficient practical impact nor to engage sufficiently the operators who will be paying the Levy. A much more creative means of applying the Levy proceeds should be developed and we advocate that a liaison group comprising of operators and authorities is set up to decide on spending priorities. This will develop a collaborative approach and allow the monies to be spent in ways most likely to see an improvement in the late night economy. This approach has been followed in Newcastle upon Tyne where a decision to introduce the Levy has already been taken and the first liaison meeting is to take place later this month. This might include street or taxi marshals or other measures to improve the public space and actually encourage peaceable visitors to the late night economy to everyone's benefit.

#### **Question 8**

**a) Do you agree with the way in which the Police will spend their portion of the levy?**

No.

**b) If not, please give your reasons below giving examples where possible of how you think the money would be better spent.**

Whilst we fully support a focus on operators who are not promoting the licensing objectives, the Police proposals for their share of the Levy proceeds seem unduly narrow. The levy proceeds, or at the very least a significant proportion, should be spent in a manner which benefits all operators who contribute to it in a much more imaginative fashion. This could involve the funding of participation in partnership schemes/initiatives which benefit the whole late night economy and drive standards up across the whole range of operators. Good operators should not see their money solely spent on enforcement action against poor ones.

#### **Question 9**

**Have you any other comments to make regarding the introduction of a Late Night Levy?**

We note that some of the criticisms of the previous consultation have, at least in part, been addressed in this consultation.

We note the attempt to outline the costs incurred in policing the period between 0000 and 0600 in the City of London area but the costs provided cover the period 2000 to 0630 and whilst there is an approximation of how much of those costs are incurred in the proposed supply period itself, there is no further breakdown to show when exactly those costs are incurred. Without this information it is difficult to assess when an appropriate supply period is.

We are also concerned that the evidence provided in the consultation as to existing crime figures merely presents two years' figures. This is an improvement on the original consultation but we consider it still impossible to assess any statistical trend. How can it be established if the figures are rising or falling especially in light of various initiatives such as the City of London Police's recently introduced traffic light scheme? The national figures for alcohol related violent crime are falling and it is essential in any consideration of whether an economically damaging Levy is required in the City to see the trends for similar crime in the area.

We strongly urge that further detailed consideration is given to the impact of the Levy on operators of licensed premises in the City and why, if the evidence establishes that there is a trend of rising alcohol related crime and disorder, a partnership based approach cannot be used to tackle it.

**JD Wetherspoon PLC**

**8<sup>th</sup> April 2014**



RESPONSE TO CITY OF LONDON CORPORATION LATE NIGHT LEVY  
CONSULTATION QUESTIONNAIRE (April 2014)

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NAME : JOHN GAUNT & PARTNERS ON BEHALF OF MARSTON'S PLC

ADDRESS : OMEGA COURT 372 – 374 CEMETERY ROAD SHEFFIELD S11 8FT

## Introduction to the Revised Consultation on the Introduction of a Late Night Levy

The City of London has re-issued its consultation on the introduction of a late night levy but has chosen not to disclose the reason for the decision to consult again and makes no reference to the responses received. The Licensing Committee were due to receive the “analysed result of the recent consultation to the next Committee Meeting in February”. The agenda for that meeting did not contain reference to any such analysis, nor was there any reference in the minutes of the meeting.<sup>1</sup>

The revised consultation appears to be an attempt in some instances at least to re-butt the evidence and arguments put forward by the respondents to the consultation “a majority of which were from licensed premises”<sup>1</sup> (76 responses were received). This is not an opportunity afforded to those respondents.

We note the qualification given to any answer of ‘No’ in Question 1. It cannot be right that any further comment on the levy is to be disregarded if the respondent maintains his opposition to the levy. The levy is a complicated instrument and the response will vary in accordance to the decisions that might be made to various aspects of the levy. For instance a hotel operator may be opposed to the levy because as currently proposed the hotel operator has to pay the levy. If that were to change to exclude hotels the hotel operator may well revise his opinion.

Similarly being opposed to the levy should not preclude perfectly valid comments as to the time limits for such a levy were it to be introduced and other similar questions.

The police now acknowledge that “compared to other areas, crime numbers are low” but go on to say that “it is the duty of the City Police to identify appropriate areas to respond and fund those in any way that it can.” This is surely a spurious argument which ignores the efforts of the late night businesses to operate good businesses and co-operate in reducing

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<sup>1</sup> 21 October 2013 Minutes of the meeting of the Licensing Committee held at the Guildhall EC2 at 1.45pm

## RESPONSE TO CITY OF LONDON CORPORATION LATE NIGHT LEVY CONSULTATION QUESTIONNAIRE (April 2014)

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crime. It ignores the rights of those businesses whose only reward is to be asked to pay more.

The consultation makes the statement that “Although the number of alcohol related crimes have decreased in the last two years, there remains a significant number occurring between midnight and six in the morning.” The figures quoted for the year ended 31<sup>st</sup> October records a total of 48 offences between midnight and 6am, less than one a week and there is no evidence presented that these are all related to late night premises. Local community consultation undertaken by the police identify rough sleeping as the chief priority for the police, three out of four priorities being identified as such.<sup>2</sup>

We believe that the consultation is flawed and undemocratic in the way that it has been represented in this way and that no reference has been made to the prior consultation. Respondents have not even received an apology for the time and effort that has now to be put into making what is in effect a new response, since the form and nature of some of the questions have changed.

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<sup>2</sup> <http://www.police.uk/city-of-london/cp/priorities/> (January 2014)

## RESPONSE TO CITY OF LONDON CORPORATION LATE NIGHT LEVY CONSULTATION QUESTIONNAIRE (April 2014)

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### Question 1

It is proposed that a Late Night Levy be introduced in the City of London in order to assist in the funding of the reduction and prevention of crime and disorder in connection with the late night supply of alcohol.

a) Do you agree that a late night levy should be introduced in the City of London? **Yes/No**

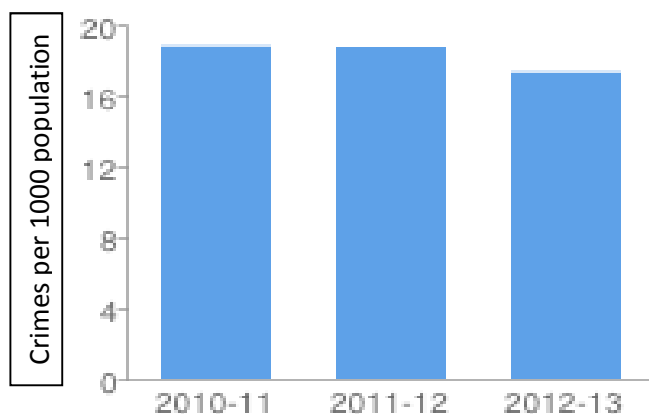
b) If not please give your reasons below?

(n.b. If you answer 'No' to this question, any further answers will only be taken into consideration if a Levy is introduced. Your opposition to the introduction of a Levy will still be noted and be of prime consideration in any decision made)

We do not agree and can see no basis on which we and others operating late at night should pay additionally for police services which are already provided.

As a responsible operator with premises in the City of London and throughout the UK we are fundamentally opposed to paying a levy to be able to continue trading with the hours that have been granted to our venues and to which no blame has been attached.

Marston's PLC operates The Rack and Tenter, the Pitcher & Piano, both of which have been granted late



night hours with permission to sell alcohol until 2am. In addition Marston's also operates, The Cockpit and The Pavilion End, public houses that do not serve alcohol beyond 11pm and midnight respectively but which would nevertheless be influenced if the late night economy of the City of London was to be adversely affected by the introduction of a levy. The consultation [now](#) acknowledges that the incidence of crime has fallen in the City of London as can be seen from the crime figures published both by the police

themselves<sup>3</sup> and by the independent evaluation website CrimeStatsUK<sup>4</sup>

Independent information on force-level crime and anti-social behaviour provided by Her Majesty's Inspectorate of Constabulary shows that crime in the City of London "remained broadly stable between

<sup>3</sup> <http://www.police.uk/city-of-london/cp/performance>

<sup>4</sup> <http://www.ukcrimestats.com/>

## RESPONSE TO CITY OF LONDON CORPORATION LATE NIGHT LEVY CONSULTATION QUESTIONNAIRE (April 2014)

the years ending March 2011 and March 2012, and fell between the years ending March 2012 and March 2013. In the last year, crime was below the national average.”<sup>5</sup>

This is borne out in the monthly figures published by CrimeStatsUK<sup>6</sup> shown below. ASB and Violent Crime which most closely reflect crimes that might be expected to arise in the Night Time Economy both show significant reductions over the last two and half years.

### Crime in City of London Corporation

|          | ASB | Burglary | Robbery | Vehicle | Violent | Other Total | Total |
|----------|-----|----------|---------|---------|---------|-------------|-------|
| Apr 2013 | 36  | 20       | 0       | 11      | 31      | 162         | 260   |
| Mar 2013 | 35  | 4        | 3       | 8       | 28      | 184         | 262   |
| Feb 2013 | 22  | 12       | 4       | 16      | 29      | 156         | 239   |
| Jan 2013 | 34  | 25       | 3       | 11      | 21      | 208         | 302   |
| Dec 2012 | 58  | 19       | 1       | 12      | 32      | 157         | 279   |
| Nov 2012 | 43  | 14       | 3       | 7       | 28      | 159         | 254   |
| Oct 2012 | 52  | 18       | 3       | 11      | 32      | 193         | 309   |
| Sep 2012 | 63  | 12       | 4       | 5       | 24      | 186         | 294   |
| Aug 2012 | 60  | 9        | 1       | 7       | 26      | 181         | 284   |
| Jul 2012 | 81  | 36       | 2       | 15      | 35      | 219         | 388   |
| Jun 2012 | 53  | 26       | 2       | 21      | 23      | 180         | 305   |
| May 2012 | 59  | 19       | 1       | 8       | 26      | 185         | 298   |
| Apr 2012 | 40  | 18       | 1       | 7       | 22      | 176         | 264   |
| Mar 2012 | 55  | 8        | 1       | 16      | 25      | 201         | 306   |
| Feb 2012 | 43  | 10       | 3       | 8       | 30      | 186         | 280   |
| Jan 2012 | 51  | 17       | 2       | 5       | 25      | 137         | 237   |
| Dec 2011 | 32  | 5        | 0       | 3       | 18      | 93          | 151   |
| Nov 2011 | 141 | 17       | 3       | 11      | 55      | 343         | 570   |
| Oct 2011 | 126 | 18       | 4       | 7       | 29      | 290         | 474   |
| Sep 2011 | 129 | 25       | 2       | 13      | 46      | 396         | 611   |
| Aug 2011 | 109 | 31       | 2       | 13      | 62      | 357         | 574   |
| Jul 2011 | 169 | 27       | 5       | 10      | 62      | 380         | 653   |

<sup>5</sup> <http://www.police.uk/overview/?q=City+of+London%2C+Greater+London%2C+UK>

<sup>6</sup> <http://www.ukcrimestats.com/Subdivisions/LBO/2512/>

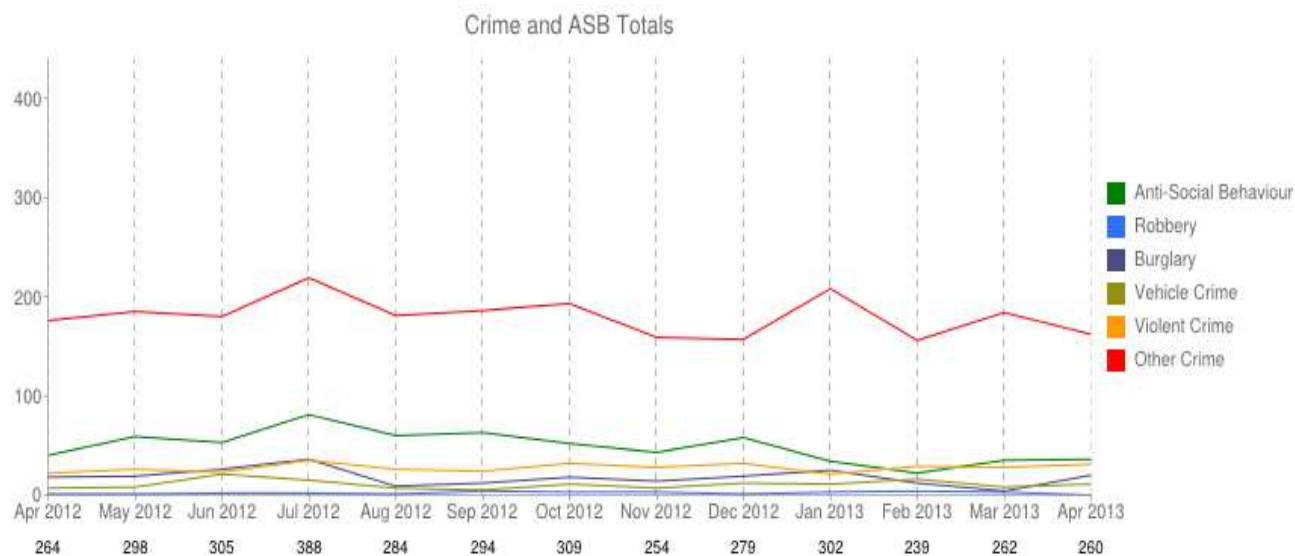


## RESPONSE TO CITY OF LONDON CORPORATION LATE NIGHT LEVY CONSULTATION QUESTIONNAIRE (April 2014)

|          | ASB | Burglary | Robbery | Vehicle | Violent | Other Total | Total |
|----------|-----|----------|---------|---------|---------|-------------|-------|
| Jun 2011 | 131 | 31       | 3       | 23      | 46      | 435         | 669   |
| May 2011 | 160 | 26       | 5       | 16      | 53      | 384         | 644   |
| Apr 2011 | 139 | 28       | 4       | 15      | 41      | 353         | 580   |
| Mar 2011 | 130 | 14       | 3       | 19      | 60      | 436         | 662   |
| Feb 2011 | 125 | 15       | 4       | 19      | 55      | 324         | 542   |
| Jan 2011 | 121 | 14       | 1       | 20      | 64      | 342         | 562   |
| Dec 2010 | 137 | 8        | 4       | 14      | 52      | 315         | 530   |

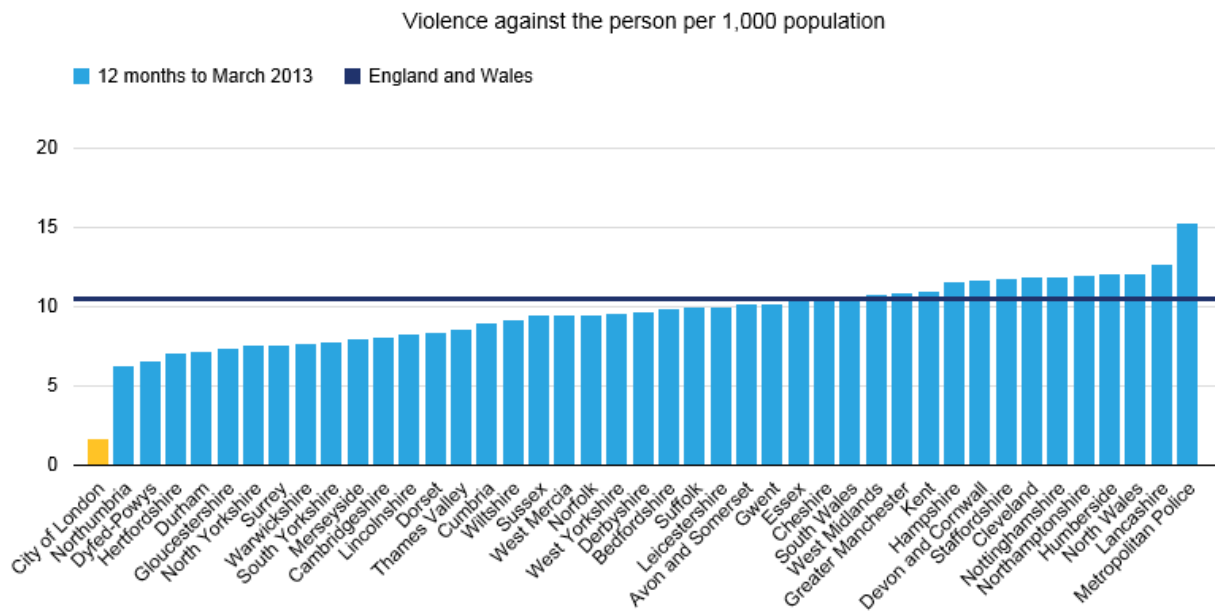
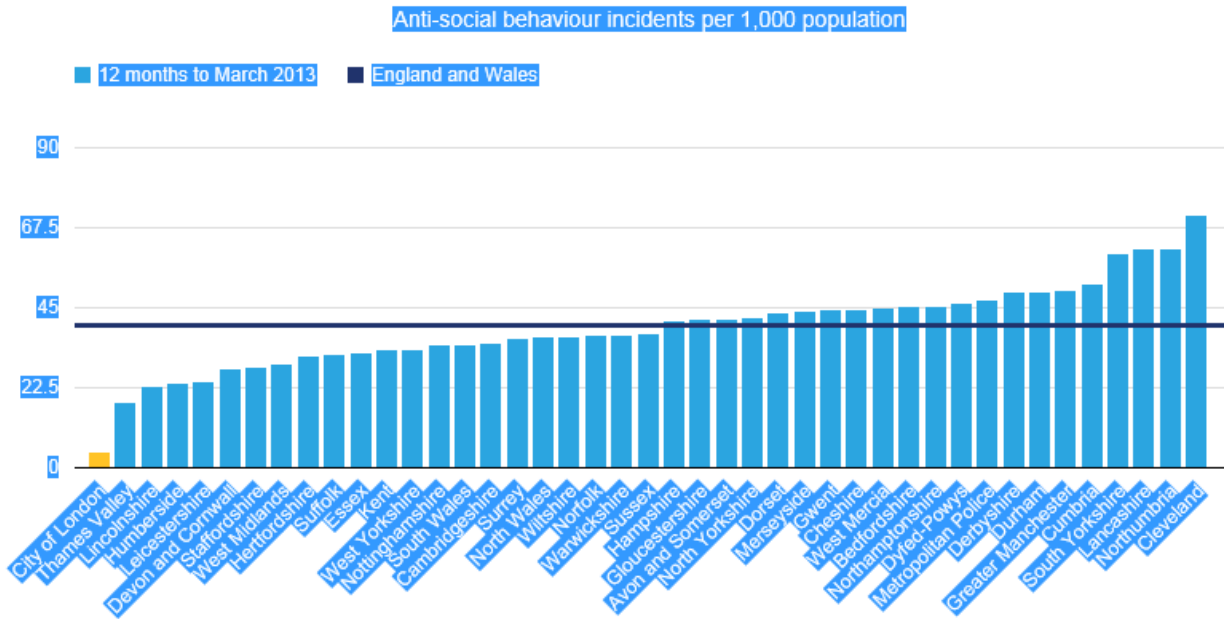
**More recently published figures show that total crime had fallen from 260 in April 2013 to 236 in January 2014 with ASB falling from 36 to 23 in the same period.**

These figures are shown graphically below:



Police figures also indicate that both in anti-social behaviour and violent crime the City of London has the lowest levels per head of population this despite having a low resident population of only 8,400 people, albeit supplemented by over 300,000 commuters and visitors each day, who are surely responsible for some of the crime committed.

## RESPONSE TO CITY OF LONDON CORPORATION LATE NIGHT LEVY CONSULTATION QUESTIONNAIRE (April 2014)



None of these figures indicate a serious or growing problem, quite the opposite making the case for increased funding much more unsustainable.

## RESPONSE TO CITY OF LONDON CORPORATION LATE NIGHT LEVY CONSULTATION QUESTIONNAIRE (April 2014)

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More recent figures from the City of London Community Policing website<sup>7</sup> report that the number of crimes in the City during January 2014 was 619 down from 696 in the previous January 2013, a reduction of some 11%.

The Licensing Authority itself does not seem to have any difficulty in granting later licences. If policing and general levels of disorder were a serious concern we would question why the Council has granted later hours to a number of venues over the last twelve months or so. These include the following:

REVOLUTION extended from 3am to 4am on Saturday nights; AMBER, CITY POINT from 2am to 4am; and COS BAR from 1am to 3am and a new application from Punch Taverns for BIRD OF SMITHFIELD which was granted 3am on Friday & Saturday nights and 2am the rest of the week.

This does not sound like an area that is having a problem with the policing of the evening economy. No serious objections appear to have been raised against any of these applications including the police.

This view is supported by the City of London Corporation Safer City Partnership who maintain that

“the City remains a safe place in which to live, visit and do business, is a source of great pride to those of us charged with its safety and wellbeing.”<sup>8</sup>

### Question 2

**It is proposed that the Levy should be introduced for those premises who supply alcohol between the hours of midnight and 6 a.m.**

**a) Do you agree that if a levy was to be introduced it should operate between these times? Yes/No**

**b) If not, during what time period do you think the levy should operate and why?**

- 1am – 6am  
 2am – 6am

**Any other time span (please state which time span) \_\_\_\_\_**

**Reasons for your choice of time period:**

<sup>7</sup> <http://www.police.uk/city-of-london/cp/>

<sup>8</sup> <http://www.cityoflondon.police.uk/CityPolice/CommunityPolicing/About/SaferCityPartnership/#sthash.uanGYys6.dpuf>

## RESPONSE TO CITY OF LONDON CORPORATION LATE NIGHT LEVY CONSULTATION QUESTIONNAIRE (April 2014)

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Since Marstons are opposed to the introduction of a levy it is placed in a difficult position in respect of the question of the charging period. The police evidence on the crime statistics does not provide the absolute number of offences but presents the data in terms of the percentage of alcohol related crimes throughout the day.

Data from CrimeStatsUK quoted under Question 1 on violent crime shows that in the 12 months to April 2013 there were 335 violent crimes in the City of London Corporation area and 634 in the area covered by the City of London Police Force. The police evidence presented in the consultation states that just over 50% of these are alcohol related which halves these figures to around 160 and 320 per year or less than one a day over the whole police force area. There is clearly a need for a more detailed examination of the figures used to justify the intervention of a levy.

### Question 3

**It is proposed that no premises should be exempted from paying the Levy.**

**a) Do you agree that there should be no exemptions? Yes/No**

**b) If not, which of the following types of premises do you think should be exempted from paying the levy? (mark each one you think should be exempted).**

- |                                       |                                     |
|---------------------------------------|-------------------------------------|
| <b>Overnight Accommodation</b>        | <input checked="" type="checkbox"/> |
| <b>Theatres &amp; Cinemas</b>         | <input type="checkbox"/>            |
| <b>Bingo Halls</b>                    | <input type="checkbox"/>            |
| <b>Community Amateur Sports Clubs</b> | <input type="checkbox"/>            |
| <b>Community Premises</b>             | <input type="checkbox"/>            |
| <b>New Year's Eve</b>                 | <input checked="" type="checkbox"/> |
| <b>Business Improvement Districts</b> | <input checked="" type="checkbox"/> |
| <b>No Exemptions</b>                  | <input type="checkbox"/>            |

**c) If you have ticked one or more of the boxes above please give your reasons below.**

## RESPONSE TO CITY OF LONDON CORPORATION LATE NIGHT LEVY CONSULTATION QUESTIONNAIRE (April 2014)

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### **Overnight Accommodation**

The Government enabled Licensing Authorities to apply the exemption to hotels on the grounds that only bona fide residents would be exempt and that hotel bars would have to exclude members of the public at the times the levy applies to qualify for the exemption. We agree with this and would like to stress the importance of the hotel sector to the financial health of the City which provides facilities to both employers for business visitors and tourists which are vital to the economy as a whole. We can see no good reason to apply the levy to hotels.

### **New Year's Eve**

The introduction of a general relaxation of opening hours over New Year's Eve has generally been recognised as a success and is a one off occasion that may be used by result in many businesses that are not open beyond midnight at any other time of the year. Those premises which retained the ability to open through new Year's Eve on the granting of 'grandfather rights' during transition to the new licensing Act would become caught up in a levy if the exemption were not granted. The Government recognised this through its concession to a non-fee paying application to remove the permission. They could then instead apply for a Temporary Event Notice (TEN) to restore the late opening for New Year's Eve, which rather defeats the extension of the late night n]levy to such premises.

Those premises that more generally trade later may also chose to reduce their hours, particularly if they don't actually trade that often into the early hours. Apart from reducing the amount the levy would raise this would almost certainly increase the reliance on TENs by those businesses.

A refusal to allow this exemption would result in the generation of a large number of Temporary Event Notices, resulting in extra work for the Council and police.

### **Business Improvement Districts**

BIDs are an excellent way of improving city centres and other areas and should be encouraged. The Government permitted the exclusion of premises within a BID for the very good reason that they are worthy of support. There is every reason to believe that businesses within a BID area that are not exempted will not repeat their support of a BID in a subsequent ballot.

## RESPONSE TO CITY OF LONDON CORPORATION LATE NIGHT LEVY CONSULTATION QUESTIONNAIRE (April 2014)

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While the City of London does not yet have a BID in place it should not exclude the possibility of providing an exemption for any future BID. We would also urge the Council to look at the benefits of the introduction of a BID and to consider the introduction of one before it introduces a levy. Experience in places such as Nottingham and Birmingham has demonstrated the beneficial effects of BIDS particularly in reducing crime in the Night Time Economy.

The Council's rationale for not applying any exemptions simply does not bear examination. There is clearly a difference in the size, scope and nature of the businesses liable to be included in a level. A late night club is quite obviously a different attraction from a hotel guest seeking a nightcap. Further it is far from the truth to assert that the council's "approach creates a level playing field for all affected premises". Those premises would strongly against and the contention that it "keeps administrative burdens and costs to a minimum" may be true for the Council it should not for businesses to pay higher charges simply for the convenience of the Council.

### Question 4

**It is proposed that premises meeting the necessary 'small business rate relief' criteria should not be entitled to a reduction in Levy.**

**a) Do you agree that such premises should not receive a reduction? ~~Yes~~/No**

**b) If not, please give your reasons below?**

We rather doubt that there are any businesses that qualify within the City of London but if there are the Council should apply the exemption. A business with a rateable value of £12,000 in the City of London or less will be selling little very alcohol. The council figures show that there are only 7 premises in Band A that would fall under the exemption. There are only a further 16 premises that come under Band B having a rateable value up to £33,000. Assuming that half of these have a rateable value below under the £12,000, that would still only leave 15 exempted premises out of the 747 identified by the Council. The regulations allow for exemption for premise up to a rateable value of £12,000 for a good reason and the Council should re-consider its position on this.

## RESPONSE TO CITY OF LONDON CORPORATION LATE NIGHT LEVY CONSULTATION QUESTIONNAIRE (April 2014)

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### Question 5

**It is proposed that those premises meeting the requirements of the Safety Thirst Award Scheme should be entitled to a 30% reduction in their Levy payment.**

**a) Do you agree that such premises should receive a 30% reduction?    Yes/No**

**b) Please give your reasons below**

While we agree that the inclusion of Thirst Award Scheme in the entitlement to a 30% reduction we also urge the council to look at schemes more in the terms expressed by its own Licensing Committee who said when considering both EMROs and the Late Night Levy in October 2012:

*“There are other wider considerations which may also be taken into account such as: the economic effects of the levy on operators, City Police’s own capacity to fund crime prevention, the effect of the levy on voluntary schemes for reducing crime and disorder (Safety Thirst), whether there are any alternative means to reduce crime and disorder such as a Business Crime Reduction Partnership, and the equitability of changing the burden to operators rather than the community. These options would be addressed in any further detailed report on this issue.”*

That the Council now considers Safety Thirst as qualifying for an exemption, a provision not made in the earlier consultation, is to be welcomed but we are bound to observe that the introduction of a levy will attack the very heart of the voluntary scheme and that despite attracting the reduction, businesses will be reluctant to participate. If they do continue to participate they may do so for the wrong reason.

The consultation makes no mention of Pubwatch. There are number of Pubwatch schemes within the City and we firmly believe that these best practice schemes are worthy of a discount and to deny them this facility may well prove counter-productive. The police and the Corporation both benefit from good partnership working and to refuse the discount would demonstrate bad faith to those schemes that are keen to work in partnership.

Pubwatch qualifies as a good practice schemes under the regulations.<sup>9</sup> We urge the council to consider their inclusion in the 30% allowable reduction category, if the levy is adopted.

In its publication “Calling Last Orders”<sup>10</sup> the City of London Police pledge to “Work with partners, community, stakeholders and businesses to reduce precursory issues that lead to violence and related offences. We will listen to their concerns and respond appropriately.” The introduction of a levy will make this task more difficult and a refusal to allow the discount can only exacerbate that and lead to a deterioration in the willingness to collaborate.

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<sup>9</sup>

<sup>10</sup> <http://www.cityoflondon.police.uk/NR/rdonlyres/CEF41A93-19FA-41BA-A90B-1258B48B75E5/0/LastOrdersV2.pdf>

## RESPONSE TO CITY OF LONDON CORPORATION LATE NIGHT LEVY CONSULTATION QUESTIONNAIRE (April 2014)

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The Council should also ensure that it has the ability to provide any future BID with the same discount if exemption is not granted to that BID, thereby removing the need for a separate consultation.

### Question 6

**It is proposed that the income raised from the Levy should be divided between the Local Authority and the City of London Police with 30% going to the Local Authority and 70% to the Police.**

**a) Do you agree that the net revenue from the levy should be split in this way? Yes/~~No~~**

**b) If not, please give your reasons for this and the split you feel would be more appropriate (Please remember that the Police cannot receive less than 70%).**

### Question 7

**It is proposed that that income from the Levy received by the Local Authority will be spent in accordance with paragraphs 5.10 and 5.11 of this document.**

**a) Do you agree with the way in which the Local Authority will spend their portion of the levy. Yes/~~No~~**

**b) If not, please give your reasons below and any suggestions you have for ways in which the money can be spent (please remember that the money can only be spent on those areas described in paragraph 5.3 of this document.)**

Again the proper answer to the question is not a simple yes or no. We are disappointed that the Council has not been more imaginative in use of the potential income raised by a levy. The emphasis again is on enforcement against premises, the vast majority of whom take great pains to comply with the law, since their livelihood and continues existence depends upon it. With crime figures falling there has been no recognition that responsible operators have played in contributing to that fall. The industry has engaged in and promoted many good practice schemes from pubwatches, through Best Bar None, Challenge 21 and so forth.

We seriously question whether the council will be able to deliver its programme when the council's estimate of the amount of its share is £66,668 when the two identified costs of £57,000 (additional post) and £23,000 (night time response) amount to £70,000. The estimate appears to exclude the cost of the 'team of officers to work during the midnight and 6am' the additional post being =created to operate the Code of Practice and Risk Assessment scheme.



## RESPONSE TO CITY OF LONDON CORPORATION LATE NIGHT LEVY CONSULTATION QUESTIONNAIRE (April 2014)

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The Council assumes that the levy will not affect businesses or the decisions they make. This is not true and is demonstrated by the Council's own assessment that 30% will most likely reduce their permissions to trade to avoid the levy. At the same time the amount raised for the council is assessed at only £66,668, not a particularly significant sum and one that is likely to be diminished further if the £15,000 allocated for administration proves an under-estimate.

### Question 8

**a) Do you agree with the way in which the Police will spend their portion of the Levy? Yes/ No**

**b) If not, please give your reasons below giving examples where possible of how you think the money would be better spent.**

The consultation reports that the police have now identified the funding of three additional officers but do not attribute a cost to that, leaving the question as to whether they are funding full-time posts. The only specific cost identified is that of that to cover the police costs associated with the discharge of their responsibilities under the Act, including dealing with Temporary Event Notices. This is an entirely inappropriate use of the funds provided under the terms of the levy. The Licensing Act, 2003 did not provide funding to the police for discharging its duties under the Act and little of this identified cost would be incurred by the businesses covered by the levy, since they would have little need of TENs.

The police bid for funding appears to rely primarily on the fact they have not discharged their duty in the past if "problem" premises have been identified but have not been dealt with.

We are extremely disappointed and concerned that the police cannot see any better way to allocate additional funds to activity that is already covered and are not looking to tackle one of the root causes of any crime and that is the individuals themselves. The arguments put by Government for the introduction of the levy and Early Morning Restrictions under the Police Reform & Social Responsibility Act 2011 was that there were needed where there were problems despite the presence of well-run businesses. The action proposed by the police should already have been taken against businesses that do not comply. There would be more sympathy for levy if the resources were directed at irresponsible and criminal individuals. There is no suggestion that any additional policing is being placed in this direction.

Paragraph 5.9 of the consultation states that the police would "allow the Licensing Team to further its partnership working" identifying those partners which do NOT include the trade. This is a fundamental oversight indicative of the failure of the police to properly engage businesses in the partnership. On this basis alone we object to the imposition of a levy. The police must learn to work in partnership with business. The Code of Practice or any other initiative has little chance of success without that understanding.

## RESPONSE TO CITY OF LONDON CORPORATION LATE NIGHT LEVY CONSULTATION QUESTIONNAIRE (April 2014)

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### Question 9

#### **Have you any other comments to make regarding the introduction of a Late Night Levy?**

We are disappointed that the Council has not seen to enter into any prior discussion with the businesses directly affected by the proposal. We note that the Council has withdrawn its statement from the revised consultation that “it is the view of the licensing authority that a levy should be introduced in order to contribute to the costs of policing the late night economy”, we are worried by the thought that this remains the view of the Council and that the outcome of the consultation has been pre-determined.

We remain disappointed that the undertaking that “Officers would bring the analysed result of the recent consultation to the next Committee Meeting in February”<sup>11</sup> has not been honoured and that the Licensing Committee did not get the opportunity to see those responses. Nor does the Committee appear to have any influence as to the need for or form of the revised consultation.

The Council has not sought to make any assessment of the economic effect on the businesses concerned nor the activity within the night time economy that might be reduced. The City is a big draw for businesses and tourists alike and withdrawal of some of the venues from the market late at night might affect the attraction of the City as a place of entertainment.

The police have not made a case for the levy either in terms of the crime rate, or of their funding needs and the levy looks like what it is, a way of raising additional money. At best the money raised will go towards more enforcement activity on venues rather than on individuals where we believe any such additional funding would have the most beneficial effect.

In its report of the Licensing Committee’s meeting on the 22<sup>nd</sup> October of last year (2012) the committee determined (Paragraph 15) that

*“There are other wider considerations which may also be taken into account such as: the economic effects of the levy on operators, City Police’s own capacity to fund crime prevention, the effect of the levy on voluntary schemes for reducing crime and disorder (Safety Thirst), whether there are any alternative means to reduce crime and disorder such as a Business Crime Reduction Partnership, and the equitability of changing the burden to operators rather than the community. These options would be addressed in any further detailed report on this issue.”*

We can find no evidence that any such investigations have been carried out and that contrary to the Committee’s wish that these other concerns be addressed the City of London have proceeded on the basis of the Corporation’s officials which is reported in Paragraph 22 of the same meeting which states that:

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<sup>11</sup> 21 October 2013 - Minutes of the meeting of the Licensing Committee held at the Guildhall EC2.

## RESPONSE TO CITY OF LONDON CORPORATION LATE NIGHT LEVY CONSULTATION QUESTIONNAIRE (April 2014)

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We believe that the consultation is seriously flawed in both the evidence it presents and the reasoning, such as it is, neither of which justify the introduction of a levy. The Council should rather be encouraging a productive dialogue between businesses, police and itself taking a partnership approach to improving the social amenities for the residents and visitors to the City. Without such an approach we are firmly of the opinion that the levy will not only do little or nothing to address anti-social; behaviour and other alcohol-related crime but runs the real risk of producing counter-intuitive results leading to a worsening of the situation and alienation of those businesses operating in the area who are best placed to help.

### We urge the Council to re-consider its proposal.

Thank you for completing this questionnaire. Could you please indicate below the capacity in which you are making your comments?

- Licensed Premises (with licence to sell alcohol after Mid-night)
- Licensed Premises (with licence to sell alcohol no later than Mid-night)
- Non-Licensed Business (no licence to sell alcohol)
- Resident
- Alderman or Common Councilman
  
- Other (please state)

We are happy to accept the consultation questionnaire anonymously but if you would like to tell us who you are then please complete your details below:

Name: **John Gaunt & Partners:** Omega Court, 372-374 Cemetery Road ,Sheffield S11 8FT  
Email: [info@john-gaunt.co.uk](mailto:info@john-gaunt.co.uk)

Organisation you represent (if relevant): **Marstons PLC**

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# City of London

## Consultation on the Proposal to Introduce a Late Night Levy

### Response from Punch Taverns plc.



Punch Taverns is one of the UK's largest leased pub companies with a portfolio of around 4,000 leased pubs nationwide, ranging from pub restaurants to traditional drink led locals. Our aim is to become the UK's highest quality, most trusted and best value leased Pub Company. Our premises are operated by thousands of enterprising individuals – who we call our Partners - who are running their own pub businesses in our premises.

In 2005 we took the decision to hold the premises licence for our estate. Although we do not undertake licensable activities in our leased pubs, the holding of the premises licence imposes upon our business a significant obligation in terms of licensing regulation and compliance.

Corporate Social Responsibility (CSR) is embedded across many elements of our business, from corporate fundraising to responsible retailing. We have dedicated teams in place to assist in ensuring that our premises operate to the highest standards.

As Portman Group signatories and supporters of Drinkaware we do not condone irresponsible promotions and pricing of alcohol, and we have actively supported the 'Why let good times go bad?' campaign to tackle excessive drinking amongst 18 to 25 year olds.

Responsible retailing forms a key part of our partner training, and in the last eighteen months many of our Partners have completed our responsible retailing training. We also provide Risk Management manuals to our partners, which give clear guidance on current legislation and best practice, backed up by the support of our Risk and Compliance Teams, who provide specialist advice and guidance. We also support the BBPA's Customer Unit Awareness Campaign, part of the Association's contribution to the Government's Alcohol Responsibility Deal by making information and publicity available to our partners.

To further support our partners, we launched "The Punch Buying Club" offering our partners an online 24/7 service allowing partners to access all possible assistance to help run their business, this includes online training, regional workshops, legislative updates and best practice messages, Risk Management material such as mandatory signage and many other such materials.

All of our Partner Development Managers (PDM's) are trained to a minimum of BII level 4 in Multiple Retail Management, which consists of eight modules including communication, negotiating, business knowledge and marketing. We believe a well-trained, talented and high performing team will help our partners reach their potential and ensure their premises are well run.

We also have a number of other specialist employees to ensure that our partners are provided with the best knowledge throughout their relationship with Punch Taverns; our recently appointed New Business Development Managers (NBDM) are in place to provide our partners with up-weighted assistance and support for all newly launched businesses during their first six months of trading. This provides a platform for success and ensures they understand everything for running a safe, legal and compliant business

We believe that Punch Taverns is in a uniquely qualified position to make a valuable submission as, not only do our circa 4,000 premises cover every local authority area in England and Wales, but we also have significant experience and knowledge of the Licensing Act 2003, the Police Reform and Social Responsibility Act 2011 and associated relevant legislation.

We fully support the view that premises should be well run and promote the four licensing objectives. We do not however, support the view that those premises or indeed any premises should be obliged to pay a levy in addition to licensing fees, business rates and general taxation. The Licensing Act 2003 and associated relevant legislation contain sufficient safeguards and means of dealing with premises that cause or contribute to crime and disorder.

Furthermore, with the publication of the Home Office consultation on fees under the Licensing Act 2003, the proposal could potential see general licensing costs increase in the lowest band pubs. This could see licensed premises annual fees increase by 957% if the maximum is applied. It has been stated by Government that small businesses are at the heart of the economic recovery and are key in creating jobs in the community, and as such are committed to supporting them as far as possible such as cutting taxes, removing red tape and improving the small business infrastructure. We are strongly of the view that Local Authorities trying to implement a levy are penalising small and medium sized responsible premises who have the permission to trade into the levy supply period at a time of economic difficulty. Placing further financial burdens on already struggling businesses will only inhibit economic growth in the community.

It should not be forgotten that many premises that are permitted to supply alcohol beyond 00:01 will have conditions on their premises licences requiring the employment of door staff, the installation and use of a CCTV system and other such conditions, which result in a one off or on-going cost to the premises in terms of compliance. These premises, if the late night levy is adopted, will have to, in addition to bearing the expense of the foregoing, pay the levy (if they do not want to reduce the hours for which they are currently legally entitled to supply alcohol).

Whilst it is no doubt the case that the budgets of both the Police and the Authority are under pressure, licensed premises pay their annual licensing renewal fee, their business rates and other taxes. Licensed premises being required to pay another tax would be most unwelcome. For some businesses the late night levy will simply be unaffordable. It is quite likely the case that very many licensed premises that trade during the proposed late night levy supply period, will be required by conditions on their premises licences to incur expense regarding the installation and operation of CCTV systems, the employment of SIA registered door staff, the use of polycarbonate containers, etc. These conditions would have been imposed to promote the licensing objective of the prevention of crime and disorder. To be required to incur the expense of compliance with conditions and in addition to pay the late night levy when the likelihood of there being additional policing or other arrangements is most unwelcome to say the least.



CITY OF LONDON CORPORATION  
LATE NIGHT LEVY  
CONSULTATION QUESTIONNAIRE

**Question 1**

**It is proposed that a Late Night Levy be introduced in the City of London in order to assist in the funding of the reduction and prevention of crime and disorder in connection with the late night supply of alcohol.**

**a) Do you agree that a late night levy should be introduced in the City of London?**

No

**b) If not please give your reasons below?**

Fees are already raised through ordinary taxation, business rates, licence fee etc. It is inherently unfair to seek to raise funds from a 'class' of premises based simply on their legal right to trade during a specified period. It is also premature to consult on a late night levy when the entire fee structure for licensing is under review and may be changed substantially and in ways that conflict or have an element of 'double taxation' when considered next to the Late Night Levy.



**Question 2**

It is proposed that the Levy should be introduced for those premises who supply alcohol between the hours of midnight and 6 a.m.

a) Do you agree that if a levy was to be introduced it should operate between these times?

No

b) If not, during what time period do you think the levy should operate and why?

- 1am – 6am
- 2am – 6am x
- Any other time span  (please state which time span)

Reasons for your choice of time period:

There can only really be a true distinction between premises that operate solely as late night venues and premises that trade into a late night period. For fairness, the levy period should be set in such a way as to ensure that it catches only those premises that trade solely late at night. 2am is a reasonable time to make this distinction.

**Question 3**

It is proposed that no premises should be exempted from paying the Levy.

a) Do you agree that there should be no exemptions?

No

b) If not, which of the following types of premises do you think should be exempted from paying the levy? (Mark each one you think should be exempted).

- Overnight Accommodation x
- Theatres & Cinemas x
- Bingo Halls x
- Community Amateur Sports Clubs
- Community Premises
- New Year's Eve x
- Business Improvement Districts
- No Exemptions

c) If you have ticked one or more of the boxes above please give your reasons below.

**Overnight accommodation:**

On the basis that the exemption should only apply to permit the supply of alcohol to those who are staying at the premises, for consumption on the premises.

**Theatre and Cinema:**

We hold the view that these premises should be exempt on the basis that the supply of alcohol is ancillary to their business and they are unlikely to contribute to any crime and disorder issues that affect the NTE during the proposed supply period. The exempt supply should end at the conclusion of the film or theatre production.

**Bingo Halls:**

We hold the view that these premises should be exempt on the basis that the supply of alcohol is ancillary to their business and they are unlikely to contribute to any crime and disorder issues that affect the NTE during the proposed supply period. The exempt supply should end at the conclusion of the playing of bingo.

**New Year's Eve:**

New Year's Eve is a national event that in the past has been de-regulated to enable premises to operate later hours for the sale and supply of alcohol. It is often an extension to hours that has been 'grandfathered' onto licences without any other extended hours applied for and as such to require the fee to be paid would be an unreasonable burden for many operators and would result in significant additional burden to the authority in terms of administration of 'free' minor variations to remove.

**Question 4**

**It is proposed that premises meeting the necessary 'small business rate relief' criteria should not be entitled to a reduction in Levy.**

**a) Do you agree that such premises should not receive a reduction?**

No

**b) If not, please give your reasons below?**

We submit that such premises should be entitled to a reduction in respect of any levy adopted. Of all the premises that may be affected by a levy that may be adopted, these are some of the premises that can least afford to pay it.

**Question 5**

**It is proposed that those premises meeting the requirements of the Safety Thirst Award Scheme should be entitled to a 30% reduction in their Levy payment.**

**a) Do you agree that such premises should receive a 30% reduction?**

Yes

**b) Please give your reasons below.**

This answer is given notwithstanding we feel that other award schemes should be considered for eligibility, such as Best Bar None and Purple Flag. To fail to recognise such schemes reduces their viability and given that the levy is being introduced to deal with late night crime and disorder, all such schemes that have a positive effect need to be recognised.

It is suggested that any best practise scheme that involves an element of expense to premises in order to qualify- be that by way of paying a fee to join or because of costs associated in achieving the accreditation standard- this should be taken into account and a reduction to the levy applied.

Given that many premises are already required to invest as a matter of course in CCTV, door staff and other provisions mainly related to trading later into the night, as well as costs in achieving 'best practise', the reduction should be set at 30%

**Question 6**

It is proposed that the income raised from the Levy should be divided between the City Corporation and the City of London Police with 30% going to the City Corporation and 70% to the Police.

a) Do you agree that the net revenue from the levy should be split in this way?

Yes

b) If not, please give your reasons for this and the split you feel would be more appropriate (Please remember that the City of London Police cannot receive less than 70%).

**Question 7**

It is proposed that that income from the Levy received by the City Corporation will be spent in accordance with paragraphs 5.10 and 5.11 of this document.

a) Do you agree with the way in which the City Corporation will spend their portion of the levy?

No

b) If not, please give your reasons below and any suggestions you have for ways in which the money can be spent (please remember that the money can only be spent on those areas described in paragraph 5.3 of this document).

Point 5.10 of the consultation relates to a post created for the benefit of all licence holders and as such it is harmful and wrong to expect only a section to pay for it.

Point 5.11 of the consultation would purport to create night time posts only. This, we suggest is wholly unrealistic and will in truth become an enforcement body paid for by late night operators but used as a means of enforcing against all premises holders. This is not the purpose of the Levy.

Regulation 8 of The Late night levy (Application and Administration) Regulations 2012 is prescriptive regarding how the Licensing Authority must apply its proportion of any monies raised by the adoption of the Late Night Levy.

We believe that the council's portion of the levy should be used for cleaning of any highway maintainable at the public expense within the City of London and for other schemes that would benefit all parties paying the Levy.

**Question 8**

a) Do you agree with the way in which the City of London Police will spend their portion of the Levy?

No

b) If not, please give your reasons below giving examples where possible of how you think the money would be better spent.

Using funding to pay for objections to TENs is simply robbing Peter to pay Paul. TENs are excluded from the Late Nigh Levy. To get applicants to pay a levy to allow the police to object to it is unfair. Presumably most applications come from premises who do not have later hours (including those who reduce their hours to avoid paying the levy)

The 'action team' does not appear to be focussed on the night time economy. Again, this is a misallocation of the funds raised.

Covert operations are not used necessarily for 'early intervention'. Indeed it is certainly not solely used for the night time economy. For instance, test purchase operations should not be paid for by the Late Night Levy given that such operations need to focus on a much wider time period.

Should the Late Night Levy be introduced, the police portion of the levy should be used to fund extra officers on the street during the levy period and nothing more.

**Question 9**

Have you any other comments to make regarding the introduction of a Late Night Levy?

It is accepted that in these challenging times, all (new) sources of possible revenue need to be considered. That said, the concern is that the monies generated by the late night levy will be used to limit the savings that the Police and the Authority need to secure to their budgets and that the monies raised will not be used to pay for additional policing or other arrangements related to the late night economy.

The City of London is almost unique in that it is predominantly a 'working' borough that operates working hours much later than those in other business districts - particularly with its significant number of international corporations. Therefore, the City has a service industry that supports the Cities unique hours. As such, we have concerns that the Levy, if introduced, will have detrimental consequences in forcing restaurants and pubs to vary their hours in order to avoid paying the Levy. This is because often trade after midnight is not sufficient to warrant payment of an additional Levy. We also feel that there has not been enough consideration given to the fact that business rates in the City of London are generally very high and therefore the Levy charged will also be higher than in other areas. Losing this amenity could have a detrimental effect on the image and perception of the City of London as one of the world's leading commercial centres.

In addition, implementation of a levy is likely to cost more than envisaged to administer and the amount of revenue raised could be significantly less than expected. It would appear that there has been no consideration of 'hidden' costs, such as the inevitable increase in TEN's applications that will require processing and will in all probability lead to more hearings before the Licensing Committee.

Whilst the Police and Council incur costs in relation to the reduction or prevention of crime and disorder in connection with the supply of alcohol between 00.00am and 6.00am, the night time economy provides economic benefits to the City which may be lost, at least in part, on implementation of a levy.

It is far from clear what funds will be raised by the late night levy, if it is introduced (despite the figures quoted above). We have concerns that any monies raised will not be sufficient to ensure the Authority can properly comply with its obligations under regulation 8 of The Late Night Levy (Application and Administration) Regulations 2012.

Further, we disagree with the figures stated in the consultation as being the sums that will be raised. Many premises who either do not use their later hours or who simply have permissions for the odd Bank Holiday that take them into the Late Night Levy period will simply remove those permissions, which will reduce the amount raised.

Certainly we would have serious concerns about the use of the Levy to fund enforcement action against all premises irrespective of whether they operate later hours or indeed have any effect on the night time economy.

It is also important to take into account the fact that when premises secured permission to undertake the supply of alcohol during the proposed late night levy period they will have, in many cases, been required to comply with conditions to assist in ensuring they were able to continue to promote the licensing objectives. Complying with these conditions will, in many cases, have resulted in the premises incurring not inconsiderable expense.

Additionally, if there are particular premises that are not promoting the licensing objectives, they can be subjected to, amongst other measures, a review under section 51 of the 2003 Act, a summary review under section 53A of the Act, a prosecution under section 136 of the Act, a closure order under section 161 of the Act or a closure notice under section 19 of the Criminal Justice and Police Act 2001.

As such, and for all the reasons stated above it is felt that the Late Night Levy will not benefit the City of London in any meaningful way.

Of greatest significance, however, is the Fees consultation currently under way. It would be a significant error in judgement to seek to implement a levy of premises who are currently being asked to contemplate significant fee increases in any event. In addition, there are elements of the fee consultation that overlap with the purpose of the LNL. Whilst the police would not directly see any monetary gain from a change in the fee structures it is likely that there will be a significant effect on the Night Time Economy that would not be fully understood before a levy is introduced.

**Thank you for completing this questionnaire. Could you please indicate below the capacity in which you are making your comments?**

- Licensed Premises (with licence to sell alcohol after Mid-night)
- Licensed Premises (with licence to sell alcohol no later than Mid-night)
- Non-Licensed Business (no licence to sell alcohol)
- Resident
- Alderman or Common Councilman
- Other (please state)

National Pub Company with premises in the City of London both entitled to sell alcohol after midnight and with no such entitlement.

**We are happy to accept the consultation questionnaire anonymously but if you would like to tell us who you are then please complete your details below:**

**Name:** Steven Buckley

**Organisation you represent (if relevant):** Punch Taverns plc.

**This response is made for and on behalf of Punch Taverns plc.**





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