

APPENDIX E

Committee: Hampstead Heath, Highgate Wood & Queen's Park Committee Policy & Resources Committee Court of Common Council	Date: Delegated Authority 14 March 2019 25 April 2019
Subject: Hampstead Heath, Highgate Wood & Queen's Park Committee: Proposed Amendments to Terms of Reference and Composition	Public
Report of: Town Clerk	For Decision
Report author: Leanne Murphy, Town Clerk's Department	

Summary

In accordance with the City Corporation's governance arrangements, the Hampstead Heath, Highgate Wood & Queen's Park Committee (HHHWQP) recently conducted its annual review of its terms of reference. As a result of this process, the HHHWQP Committee is proposing an amendment to its terms of reference to provide the Court of Aldermen with nomination rights, such that it can nominate one Alderman to sit on the Committee. It is hoped this will strengthen the Committee and provide for a similar arrangement to the Epping Forest & City Commons Committee, as well as a number of other City Corporation Committees, which have places reserved for Aldermen to be nominated to by the Court of Aldermen.

Recommendation(s)

Members are asked to consider the proposed amendment to the Hampstead Heath, Highgate Wood & Queen's Park Committee Terms of Reference to grant the Court of Aldermen nomination rights for one place on the Committee.

Main Report

Background

1. As part of the post-implementation review of the changes made to the governance arrangements in 2011, it was agreed that all Committees should review their terms of reference annually to enable any proposed changes to be considered in time for the reappointment of Committees by the Court of Common Council.
2. The Policy & Resources Committee is responsible for the review and co-ordination of the governance of the City Corporation which, amongst other things, includes its Committees. Any material changes to Committee terms of reference therefore need to be considered by this Committee prior to them being considered by the Court of Common Council in April.

Current Position

3. There are currently 20 Members on the HHHWQP Committee: six external and 14 elected Members. This includes two ex officio Members and two Aldermen, who joined the Committee (elected by the Court of Common Council) in 2018.
4. Currently, there is no reserved right in the constitution of the HHHWQP Committee for the Court of Aldermen to make a nomination. The Committee has reviewed its membership in the light of the foregoing and concluded that it would be beneficial if there were to be one place reserved for an Alderman, as it is felt that this would help raise the profile of the Committee with the Aldermen and through the Mayoralty.
5. The Chairman advised Members at the Committee's last meeting in November that the constitution of the Epping Forest & Commons Committee provided for two Aldermen on its Committee and felt that the HHHWQP Committee should allow for the Court of Aldermen to have rights in the same vein as the Epping Forest & Commons Committee. This was supported by Members.

Legal Position

6. The membership of the Hampstead Heath Management Committee, which is incorporated within the HHHWQP Committee, is governed by article 8 of the London Government Reorganisation (Hampstead Heath) Order 1989.
7. The Management Committee must consist of at least 18 Members. At least six of those Members must be external to the City Corporation. There are no limits on the maximum number of Members.
8. The Members of the Management Committee must be appointed by the Common Council. The Court of Aldermen could be given nomination rights, subject to the formal appointment being made by the Court of Common Council.

Consideration

9. In considering the proposed amendment, it was noted that the Management Committee already has more than its minimum number of Members and is at present a large Committee by City Corporation standards. It was also noted that adding an additional elected Member would change the balance on the Management Committee between the City Corporation and stakeholders.
10. Therefore, despite no restrictions on the maximum number of Members, it is recommended that the membership of one of the existing elected Members be expired to allow for the nominated Alderman (preferably one of the two Aldermen already on the membership) to take their place as the Court of Aldermen's nominee. The proposed amendments to the terms of reference are highlighted in red text at Appendix 1.

Implications

11. If the amendment is approved, then an existing place on the Committee directly elected by the Court of Common Council would need to be removed (so that it can be nominated to by the Court of Aldermen).

12. The terms of three Members are due to expire this April, with two of those terms belonging to Aldermen currently serving on the Committee (having been elected in their own right by the Court of Common Council). It is suggested that it would, therefore, be timely to make such an amendment at this point.
13. As stated above, adding an additional requirement to the constitution requires an amendment to the Terms of Reference and, therefore, approval by the Policy and Resources Committee and the Court of Common Council.
14. The views of the Court of Aldermen, through its General Purposes Committee, should also be sought in order to confirm that they are content with the proposals.

Conclusion

15. Members are asked to recommend that the Court approves the amendment to the Terms of Reference to allow for one Alderman to be nominated by the Court of Aldermen onto the Committee.
16. This proposal is intended to enhance the profile of the HHHWQP Committee by officially allowing for one Alderman to be nominated by the Court of Aldermen.

Appendices

- Appendix 1 – Draft revised Terms of Reference

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Appendix 1

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:-

- **one Alderman nominated by the Court of Aldermen**

- not fewer than **11 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 2018/19

- 1 (1) Prem Goyal OBE JP, Alderman
- 1 (1) Gregory Jones QC (Alderman)
- 3 (3) John Tomlinson, Deputy, *for three years*
- 4 (3) Michael Hudson
- 1 (1) Stuart John Fraser, C.B.E., *for two years*
- 1 (1) Mark Bostock, *for two years*
- 2 (2) Ruby Sayed
- 2 (2) William Upton
- 6 (1) Karina Dostalova
- 3 (1) Anne Helen Fairweather
- 1 (1) David John Bradshaw, Deputy

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

Heath and Hampstead Society	-	John Beyer
English Heritage	-	Sam Cooper
Royal Society for the Protection of Birds	-	Rachel Evans
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:-

- (a) expressing views or making recommendations to the Open Spaces and City Gardens Committee for that Committee's allocation of grants which relate to Hampstead Heath, Highgate Wood & Queen's Park.

Hampstead Heath

- (b) 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 it by the Hampstead Heath Consultative Committee) in accordance with the London Government Re-organisation (Hampstead Heath) Order 1989;

- (c) 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

- (d) 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

- (e) appointing such Consultative Committees and Groups as are considered necessary for the better performance of its duties including, but not limited to, a
- Hampstead Heath Consultative Committee
 - Highgate Wood Consultative Group
 - Queen's Park Consultative Group