

Committee(s) General Purposes Committee of Aldermen Privileges Committee of Aldermen Court of Aldermen	Date(s): TBC TBC 12 May 2020
Subject: Report of Action Taken: Revisions to the Court of Aldermen’s Standing Orders	Public
Report of: Town Clerk	For Information
Report author: Lorraine Brook, Town Clerk’s Department	

Summary

This report advises Members of action taken by the Town Clerk, in consultation with the Chairman of the Court of Aldermen, in accordance with Standing Order No. 36 (Court of Aldermen).

Recommendation:- That Members note the decision taken in accordance with the Court of Aldermen’s Standing Order No.36 to approve revisions to the Court of Aldermen’s Standing Orders to permit virtual formal meetings to take place during the COVID-19 outbreak.

Main Report

Revisions to the Court of Aldermen’s Standing Orders

Background and reason for urgency:

- (i) The Court of Aldermen’s Standing Orders refer to the holding of physical meetings of the Court of Aldermen and its two standing committees: the General Purposes Committee of Aldermen and the Privileges Committee of Aldermen. Historically, all meetings of the Court of Aldermen have been held as physical meetings with all persons in attendance in the same place. This approach has been in-line with the provisions of Local Government legislation, although those provisions do not extend to the Court of Aldermen as it is a separate from the Court of Common Council, a separate executive body of the City Corporation and it is not covered by the access to information regime.
- (ii) In March 2020, in response to the COVID-19 pandemic, Her Majesty’s Government took the decision to encourage (and subsequently enforce) restrictions around travel and association in relation to individuals not

identified as “key workers” playing a role in the immediate response to the crisis. One of the many consequences of this was that City Corporation committees were physically unable to meet due to the provisions of Local Government legislation at that time which required the physical presence of committee members at meetings in order for a quorum to be constituted and decisions to be taken.

- (iii) Because of the Government’s imposed restrictions, no formal meetings of the Court of Aldermen have taken place since 4th February 2020. All matters requiring a formal decision of the Court of Aldermen (or its standing committees) have, since that date, been agreed in accordance with the Court’s urgency provisions.
- (iv) Following the introduction of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (“the Regulations”) on 4 April 2020, which allow local authorities to conduct its business on the basis of virtual meetings, many of the Court of Common Council’s committees are now meeting, or are planning to meet, on a virtual basis over the coming weeks. The first formal virtual meeting was held on 24th April 2020 (Community and Children’s Services Committee) and the public element of this meeting was live streamed on You Tube in accordance with the new regulations.
- (v) Whilst the Court of Aldermen is a separate assembly and is not bound by the Local Government Act or the emergency legislation that has recently come into force as a result of the COVID-19 pandemic, it was proposed that the Court of Aldermen’s Standing Orders be revised to enable formal virtual meetings of the Court of Aldermen and its two standing committees to take place where matters related to the Court or its standing committees require decision during the COVID-19 pandemic and through to May 2021 (if necessary).
- (vi) The proposed revisions to the Court’s Standing Orders are set out in **Appendix B**.
- (vii) Standing Order 36 states that: “Where in the opinion of the Town Clerk, urgent matters arise which require a decision before the next meeting of the relevant committee or the Court, the Town Clerk shall refer the matter to the relevant Chairman, or in his/her absence the Deputy Chairman or in the Deputy Chairman’s absence the Senior Alderman, who shall decide whether it is necessary to call a special meeting or, alternatively, to authorise the officers to act.”

Action Taken:

- (viii) In accordance with Standing Order no.36, on 7 May 2020 following consultation with the Lord Mayor (on behalf of the Court of Aldermen), Alderman Sir David Wootton (as Chairman of the General Purposes

Committee of Aldermen) and Sir Alan Yarrow (as Chairman of the Privileges Committee of Aldermen), the Town Clerk agreed that: -

the Court of Aldermen's Standing Orders be revised to Appendix B (*as below*) to allow formal virtual meetings of the Court of Aldermen and its standing committees (and any sub-committees such as the Magistracy and Livery Sub-Committee) to take place with immediate effect, in place of physical meetings; and for any business taken at those meetings, in accordance with the Standing Orders, to be considered as formal decisions of the Court of Aldermen or its standing committees and sub-committees.

Conclusion:

- (ix) Members are asked to note the report of action taken.

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PROPOSED REVISIONS TO THE COURT OF ALDERMEN'S STANDING ORDERS

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MEETING OF THE COURT

1. Unless the Lord Mayor directs otherwise, meetings of the Court of Aldermen will be held on Tuesdays at twelve-thirty in the afternoon.
2. The Lord Mayor or their locum tenens, together with 10 Aldermen, shall be a quorum.
3. **Where a physical meeting of the Court takes place, no person shall be allowed to stand in the passage leading from the door to the bar during the sitting of the Court; witnesses and petitioners attending the Court shall be allowed to take seats at the table. All other persons will be required to take their places in the public gallery.**
4. **Meetings of the Court of Aldermen are not limited to a meeting of participants all of whom, are physically present in the same appointed place. A meeting of the Court of Aldermen may also take place on a virtual basis whereby participants may attend and participate in a meeting by electronic means, including by telephone conference, video conference and live interactive streaming. An individual Member attends a virtual meeting at any time if all the following conditions are satisfied:**
 - a. **the member can hear and where practicable see, and be heard and where practicable seen, by the other members in attendance; and**
 - b. **the member can hear and where practicable see, and be heard and where practicable seen, by any witnesses and petitioners in attendance; and**
 - c. **the member can be heard and where practicable seen by any members of the public observing the meeting.**
5. **If connectivity issues arise at a virtual meeting and one or more Members "drop out" of the meeting, the meeting can continue so long as it remains quorate.**
6. **Where practicable, not less than five working days' notice shall be given of a meeting of the Court of Aldermen.**
7. **All meetings of the Court of Aldermen shall, unless otherwise directed by the Lord Mayor, be accessible to the public either as a physical meeting or a virtual meeting.**

COMMITTEES

8. There shall be two Standing Committees of the Court of Aldermen, namely, a Committee for Privileges and a Committee for General Purposes.
9. The Lord Mayor for the time being and all the Aldermen shall be members of both the Privileges and General Purposes Committees.
10. Unless the Chairman, or in **their** absence the Deputy Chairman or the Senior Alderman, directs otherwise, meetings of the Committees of the Court shall be held on the same day as the meetings of the Court of Aldermen.
11. Each Committee shall elect a Chairman for the year ensuing, by ballot, at the meeting held in July each year from among the Aldermen who have passed the Chair, nominations being sent, in writing, to the Town Clerk at least eight clear days before the meeting for inclusion in the agenda for the meeting.
12. With effect from December 2018, the term of office of the Chairman of the General Purposes Committee of Aldermen shall be restricted to not more than five years, except where a vacancy for the Chairmanship of the Privileges Committee occurs at the same time at which point the Chairman shall be eligible to serve for a further one year with the Committee's consent.
13. With effect from July 2019, the term of office of the Chairman of the Privileges Committee shall be restricted to not more than five years.
14. The General Purposes Committee of Aldermen shall elect a Deputy Chairman for the year ensuing, by ballot, at the meeting in July each year from among the Aldermen who have passed the Chair except for the Lord Mayor at the time and the Chairman and Deputy Chairman of the Privileges Committee. Nominations shall be sent, in writing, to the Town Clerk at least eight clear days before the meeting for inclusion in the agenda for the meeting.
15. The Privileges Committee of Aldermen shall elect a Deputy Chairman for the year ensuing, by ballot, at the meeting in July each year from among the Aldermen who have passed the Chair except for the Lord Mayor at the time and the Chairman and Deputy Chairman of the General Purposes Committee. Nominations shall be sent, in writing, to the Town Clerk at least eight clear days before the meeting for inclusion in the agenda for the meeting.
16. With effect from July 2019, the term of office for the Deputy Chairman of each standing committee shall be restricted to not more than five years.
17. The Chairman and in **their** absence the Deputy Chairman of each of the standing Committees shall have a second or casting vote.
18. In any case where both the Chairman and Deputy Chairman shall not be present at any meeting, the Senior Alderman present shall be Chairman for that meeting.
19. Each Committee shall be summoned under the directions of the Chairman whenever in **their** judgement the business shall render it necessary: or upon requisition to him/her by three members of the Court, provided they have business to lay before the Committee. The nature of the business requested shall be stated in the requisition and shall appear on the summons.
20. The quorum of a Committee shall be three members.

21. Meetings of the Standing Committees of the Court of Aldermen, or any sub-committees, are not limited to a meeting of participants all of whom are physically present in the same appointed place. A meeting of the Standing committees, or any sub-committees, may also take place on a virtual basis whereby participants may attend and participate in a meeting by electronic means, including by telephone conference, video conference and live interactive streaming (where the meeting is to be public). An individual Member attends a virtual meeting at any time if all the following conditions are satisfied:
- a. the Member can hear and where practicable see, and be heard and where practicable seen, by the other members in attendance; and
 - b. the Member can hear and where practicable see, and be heard and where practicable seen, by any witnesses and petitioners in attendance; and
 - c. the Member can be heard and where practicable seen by any members of the public observing the meeting.
22. All meetings of the Standing Committees of the Court of Aldermen, or any sub-committees shall, unless otherwise directed by the Court of Aldermen, be held in private.

BILLS AND ACCOUNTS

23. No bill or account exceeding £5,000 shall be paid by the Chamberlain without the special direction of the Court, unless the subject matter of the bill or account has been approved by, or on behalf of the Court.

PETITIONS AND MOTIONS

24. Notice of all petitions or memorials intended to be presented to the Court of Aldermen (and by whom) shall be **submitted to** the Town Clerk's office at least ten clear days before the Court at which they are intended to be presented. Notice of the subject of such petitions or memorials shall be inserted in the summons for the meeting of the Court.
25. All notices of motions to be discussed shall be **submitted to** the Town Clerk's office at least ten clear days before the next Court of Aldermen and shall be inserted, subject to the order of the Lord Mayor, in the summons for the Court. Consideration of all motions of which notice has not been given in the summons shall be adjourned (without debate) till the next Court.

CITY'S CASH

26. As often as there shall be occasion for any committee of this Court to disburse or to contemplate the disbursement of any sum of money exceeding £5,000 out of the Chamber, the Court shall be first consulted and its assent given, unless the matter in question has been delegated to either a Committee or an officer of the Court of Aldermen.
27. Any question proposed, which may affect the estates or the funds of this City, shall, if not inserted in the summons for the court (stating the amount in case of a grant of money), be adjourned to the next meeting of the Court.
28. No report from a Committee which recommends the addition of any sum, or sums, of money to the salary of any officer connected with this Court, or any place in the care of this Court shall be considered,

unless notice be given on the summons for the Court, stating the additions proposed to be made to the salary.

CENTRAL CRIMINAL COURT

29. It shall be the duty of each Alderman, not excused or exempt, to attend a sitting at the Central Criminal Court, at least one day each month, except August. The Aldermen holding the Office of Lord Mayor or Sheriff shall be exempt. The Town Clerk shall prepare a list showing the dates of each duty and the list shall be circulated to every Alderman.
30. Aldermen having undertaken to perform a particular duty shall be held responsible for the performance of that duty. Aldermen on the rota may attend the morning duty, but luncheon and afternoon duty shall be obligatory.
31. The Town Clerk shall prepare a list showing the dates on which rotas shall be completed for each period of six months in the ensuing year, such list to be circulated to every Alderman.
32. The Aldermen shall, at the request of the Town Clerk every six months, choose their respective dates and fill up the rota papers accordingly. The Aldermen, in order of seniority, shall select the days of attendance and fill up the rota ~~papers~~. The Town Clerk shall send a copy of the completed rota to every Alderman and the Central Criminal Court.

VACANCIES

33. In the event of the death or resignation of an Alderman, the duties which but for such death or resignation would have been performed by him/her in his/her role as an Alderman (but not as a Chairman or Deputy Chairman of any Committee or any other additional role) shall devolve upon his/her successor, and pending the appointment of his/her successor shall normally be distributed as evenly as possible among the junior members of the court of Aldermen not on duty upon a rota who shall be held responsible for the due performance thereof.

LEAVE OF ABSENCE

34. It being the custom that Leave of Absence be requested from the General Purposes Committee for periods of more than one month, that when an Alderman has been granted leave of absence, the duties which would have devolved upon ~~them~~ shall be distributed as evenly as possible among the junior members of the Court not on duty upon any rota.

THE LATE LORD MAYOR AND LORD MAYOR ELECT

35. It is not expected that, except in very exceptional circumstance and with the approval of the Lord Mayor in consultation with the Senior Alderman, or in those circumstances otherwise prescribed by the General Purposes Committee of Aldermen, the Late Lord Mayor attend any occasions in a civic capacity until the Easter Banquet of the year following the conclusions of his or her Mayoralty. The Lord Mayor Elect should, from the date of election to taking up the office of Lord Mayor, abide by the same, in so far as the necessary preparations for the assumption of that Office Permit. The rota duties which would otherwise have devolved upon them shall be distributed as evenly as possible among the junior

Aldermen not on duty upon any rota. After the Easter Banquet the Late Lord Mayor shall resume **their** rota duties according to **their** then seniority in the Court of Aldermen.

SHRIEVALTY

36. The rota duty allotted to an Aldermanic Sheriff shall be performed by the junior members of the Court who are not already on duty.

COURT OF COMMON COUNCIL

37. In addition to the regular summons for a Court of Common Council, a special notice of the meetings of the Court shall be sent by the Hallkeeper to the Aldermen on the rota.
38. Any Alderman who may find it inconvenient to attend his/her duty upon the rota for the Court of Common shall obtain a substitute and inform the Town Clerk not less than ten days before the meeting of the Court.

LORD MAYOR AND ALDERMEN

39. The Alderman who is for the time being occupying the Office of Lord Mayor shall not act as a promoter in the incorporation of any company, or accept a new directorship of any company; nor shall **they** allow **their** name to appear as a director or proposed director of any company in any prospectus, offer for sale or advertisement, published in connection with the issue or sale to the public of any share or loan capital of that company or with any application for a quotation for or permission to deal in any such share or loan capital in any Stock Exchange and if this standing Order cannot otherwise be complied with **they** shall vacate **their** directorship. Provided that this Standing Order shall not apply in respect of any private company or incorporated charity- or save so far as the General Purposes Committee may from time to time otherwise decide- in relation to the share or loan capital of any company of which any shares are for the time being quoted and dealt in on any Stock Exchange.
40. An Alderman shall not, during the tenure of **their** office, allow **themselves** to be described as such in connection with the promotion or direction of any Company.

OFFICERS

41. Persons entering the employment of the Court of Aldermen or any of its committees, shall, unless already employed by the City of London Corporation, have a medical assessment by means of a questionnaire (and medical examination if considered necessary by the Physician-in-Charge of the Occupational Health Service or his/her representative).

URGENCY POWERS

42. Where in the opinion of the Town Clerk, urgent matters arise which require a decision before the next meeting of the relevant committee or the Court, the Town Clerk shall refer the matter to the relevant Chairman, or in **their** absence the Deputy Chairman or in the Deputy Chairman's absence the Senior Alderman, who shall decide whether it is necessary to call a special meeting or, alternatively, to authorise the Officers to act.

INELIGIBILITY AND DISQUALIFICATION

43. Any Aldermen who has a **pecuniary interest** in any item under discussion, or an interest which would be declarable under the Code of Conduct which regulates the conduct of members in local government, shall forthwith declare their interest and withdraw from the meeting **during consideration of that item**.