

<b>Committees:</b>	<b>Dates:</b>
Finance Committee	10 May 2016
General Purposes Committee of Aldermen	17 May 2016
Policy and Resources Committee	19 May 2016
Corporate Asset Sub (Finance) Committee	25 May 2016
Establishment Committee	9 June 2016
<b>Subject:</b> Central Criminal Court– Reporting Lines	<b>Public</b>
<b>Report of:</b> Deputy Town Clerk	<b>For Decision</b>
<b>Report author:</b> Susan Attard	

### Summary

This report provides Members with an opportunity to review the Committee reporting arrangements for the Central Criminal Court (CCC). The CCC currently reports to the Corporate Asset Sub (Finance) Committee (CASC). At a recent meeting of the Establishment Committee, it was questioned whether CASC was the appropriate body to which the CCC should report, as CASC is mainly tasked with operational property maintenance.

This is a particularly important time for the CCC in view of the extensive refurbishment works planned for the building over the next few years and the work currently in-hand with the Recorder and Sheriffs to review and improve working arrangements and practices, and to extend the community engagement role. Bearing this in mind, the CCC has been identified as an area that would benefit from greater coordination and dedicated attention in terms of Member support and oversight.

The CCC does not currently fit naturally within the existing workload of any single Committee. Therefore, this report proposes the creation of a new Committee, reporting directly to the Court of Common Council to oversee virtually all aspects of the work of the CCC for a period of five years. This proposal would ensure a single dedicated point of Member oversight and decision making across the various parts of the operation of the Court at a critical time for the service. The proposed Terms of Reference for this Committee are set out in Appendix 1.

There would be no change to the role of the Court of Aldermen in relation to the appointment of the Secondary and Under Sheriff and all matters relating to the Shrievalty. This report also proposes that the Court of Aldermen establish and agree terms of reference/duties for the Sheriffs to cover their areas of activity at the CCC.

### Recommendations

The **Court of Aldermen, Corporate Asset Sub (Finance) Committee, Establishment Committee** and **Finance Committee** are asked to note the report and endorse the proposal for the establishment of a new stand-alone Committee for a period of five years from June 2016.

The **Policy and Resources Committee** is asked to:

- a) Recommend to the Court of Common Council the creation of the Central Criminal Court Committee, for a period of five years from June 2016 to April 2021, and approve the Terms of Reference set out at Appendix 1 to this report; and
- b) Recommend to the Court of Common Council the amendment of Standing Order 29(3) to add this Committee to the list of those Committees of which a Member is eligible to be Chairman of in addition to another Grand Committee.

The **Court of Aldermen** is invited to establish and agree terms of reference/duties for the Sheriffs to cover their areas of activity at the Central Criminal Court.

## **Main Report**

### **Current Position**

1. The CCC is the premier criminal Crown Court dealing with some of the most serious crimes in London and the South East. It is also the Appeal Court for the Cities of London and Westminster Magistrates Bench.
2. The CCC is one of the City of London Corporation's operational properties. The City Corporation has responsibility for the operational management and is bound by the Courts Act 1971, Section 29 to ensure the 18 Courts are available for sitting. A schedule of agreement is in place with the Court Service regarding payment of operational costs. In addition, administrative support is provided to the two senior resident Judges and the two Sheriffs who reside at the CCC during their year in office. Activity is increasing at the CCC working with the Ministry of Justice to support educational and training initiatives and to host relevant events, involving the wider community.
3. The CCC currently reports through to CASC. The Terms of Reference include: "To be responsible for the upkeep, maintenance and, where appropriate, furnishing for operational properties including the Guildhall Complex, Mansion House and the Central Criminal Court, with the exception of those which fall within the remit of another service committee."

### **Reporting Arrangements**

4. The CCC, including the Secondary and Under Sheriff and his staff, is part of the Town Clerk's Department. At a recent meeting of the Establishment Committee a question was raised over whether the current Member oversight for the CCC was the correct one.
5. Matters affecting the CCC are currently reported to CASC, covering operational aspects of the building e.g. repairs and maintenance and day-to-day operations, including approval of business plans etc. The Court of Aldermen considers all matters relating to the Shrievalty and the appointment of the Secondary and Under Sheriff.

6. The responsibilities and terms of reference of CASC are mainly concerned with asset management, particularly in relation to property, facilities management and repairs and maintenance of operational buildings. They do not extend to day-to-day operations of departments nor is the Sub-Committee a service Committee for any aspect of the Town Clerk's Department.
7. Member oversight of the CCC has, therefore, been reviewed and options considered for how best to serve the Court. This is a particularly important time for the CCC in view of the extensive refurbishment works planned for the building over the next few years and the work currently in-hand with the Recorder and Sheriffs to review and improve working arrangements and practices and to extend the community engagement role. The refurbishment works include the plant replacement works, being undertaken in five phases, with the staged closure of Courtrooms agreed with HM Courts & Tribunals Service. The opportunity is also being taken to prioritise and align planned cyclical and improvement works as part of this programme to improve the working environment, whilst minimising the disruption to the running of the building. Service level agreements and operating level agreements for the delivery of services will need to be reviewed to ensure that value for money is being provided to the City Corporation and the Court Service.
8. Greater emphasis is also being placed on developing further the long-standing relationship between the CCC and the City Corporation. Working with the Recorder and the Court Service, greater use of the building is being promoted to support charitable, training and educational programmes with the Judiciary. The Sheriffs, who reside at the CCC during their year in office, are also keen to oversee this relationship and to promote the use of this asset - 'The Crown Court in the Community'. A programme of themed working events at lunchtime has been developed which has led to increased engagement with a wide variety of different communities. . Bearing in mind these key areas of work and its unusual, high-profile and sensitive nature, the CCC has been identified as an area that would benefit from greater coordination and dedicated attention in terms of Member support and oversight.
9. CASC and the Establishment Committee do not lend themselves to this more joined-up approach, one being about buildings and the other principally about staffing, and to divide reporting arrangements and responsibilities between the two at this critical time would only serve to fragment Member oversight. Members are, therefore, being recommended to consider setting up a stand-alone committee to oversee virtually all aspects of the work of the CCC for a period of five years. This would ensure a single dedicated point of Member oversight and decision making across the various parts of the operation of the CCC at a critical time for the service, reporting directly to the Court of Common Council. In addition, the Court of Aldermen is invited to establish and recommend terms of reference/duties for the Sheriffs to cover their areas of activity at the CCC. The Sheriffs would be invited to submit a report on their areas of activity and responsibility to the Court of Aldermen and the new Committee. There would be no change to the role of the Court of Aldermen in relation to the appointment of the Secondary and Under Sheriff and matters relating to the Shrievalty.

10. The proposed committee would provide over-sight and focus on the running of the building and its management, together with the extended use of the building to support greater community engagement. The role of such a new committee would encompass responsibility for delivering the planned works of refurbishment and renewal to the building's fabric (taking this away from CASC) and would also be the Service Committee for the purposes of day-to-day operations, including approval of business plans and any changes to the way in which the CCC works. The approval of the Establishment Committee for any matters relating to staffing that fall within the remit of the new Committee would still be necessary, as with all service Committees. This arrangement will be reviewed at the end of the five year period.

11. Proposed Terms of Reference and composition for a new committee are set out in Appendix 1. It is suggested that the Committee should be relatively small, limited to six Members. It is proposed that those Members would comprise:

- Two Aldermen nominated by the Court of Aldermen
- Two Members appointed by the Court of Common Council
- One Member appointed by the Policy and Resources Committee
- One Member appointed by the Finance Committee
- Ex-officio the Recorder and the serving Sheriffs at the Central Criminal Court

12. It is also proposed that Chairmanship of this Committee is added to the list of those Committees of which it is possible to be Chairman without rendering a Member ineligible to be Chairman of another Grand Committee, set out at Standing Order 29(3).

## **Conclusion**

13. The CCC would benefit from having a single Committee to report to bringing together over-sight for: the Shrieval and Judicial support; the programme of events and education/training activity; the operational management of the building, and implementation of the major works programme. It would also be beneficial for the Court of Aldermen to agree and establish terms of reference/duties for the Sheriffs to cover their areas of activity at the CCC.

14. It is proposed that the CCC reports through to a single Committee, providing oversight of all activity and that this Committee reports through to the Court of Common Council, initially for a period of 5 years.

## **Appendices**

- Appendix 1 – Draft Terms of Reference

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