

<b>Committee:</b> Policy and Resources	<b>Date:</b> 6 October 2016
<b>Subject:</b> Change to Committee Terms of Reference	<b>Public</b>
<b>Report of:</b> Town Clerk	<b>For Decision</b>
<b>Report Author:</b> Angela Roach, Principal Committee and Members Services Manager	

### Summary

1. The Central Criminal Court (CCC) is embarking on a particularly important time. Extensive refurbishment works are planned for the building over the next few years and a review of the Court's activities is currently in-hand with the aim of improving the arrangements and practices it operates. The Committee therefore agreed to create a Sub-Committee – the Central Criminal Court Sub-Committee (CCCSC) - to oversee CCC activities and sought the approval of the Court of Common Council to amend its terms of reference to include a reference to the CCC to enable this happen.
2. At its meeting on 23 June 2016 the Court agreed to amend the terms of reference of the Policy and Resources Committee by giving it oversight of all the City's courts and not just the CCC. The Court also agreed that the composition of the Sub-Committee should be increased by including an additional two Common Councilmen.
3. The Committee now needs to decide the governance arrangements for this new area of work. A number of options have been explored and the preferred option is to expand the remit of the new CCCSC, change its title to the *Courts Sub-Committee* and its terms of reference to reflect its wider remit.

### **Recommendation**

4. Members are asked to consider:-
  - a. widening the remit of the new Central Criminal Court Sub-Committee by giving it oversight of all matters relating to the City's Courts;
  - b. changing the title of the new Sub-Committee to the *Courts Sub-Committee*; *and*
  - c. altering its terms of reference as follows:-

#### ***City Courts***

*To be responsible for oversight of the management of all matters relating to the City's Courts, so far as they concern the City of London Corporation.*

## Main Report

1. At its meeting on 23 June 2016 the Court of Common Council considered an amendment to this Committee's terms of reference to enable it to have oversight of the management of all matters relating to the Central Criminal Court (CCC). This was on the basis that:-
  - the next few years would be a particularly important time for the CCC, with extensive refurbishment works being planned for the building;
  - a review was currently in-hand in order to improve its working arrangements and practices and to extend its community engagement role; and
  - this had created a new Sub-Committee (the Central Criminal Court Sub-Committee), with a limited life span of five years to oversee activities during that period.
2. In discussing the matter, the Court agreed to widen the Policy and Resources Committee's overall terms of reference giving it oversight of all of the City's courts rather than those of the CCCSC. This would allow the CCCSC to begin work whilst also providing an opportunity for the Grand Committee to discuss an appropriate mechanism for reviewing the totality of the City's court provision without ruling out it possibly being delegated to the CCCSC.
3. The Court also agreed to the composition of the Sub-Committee being increased by two Common Councilmen. It has been practice for the Chairman and a Deputy Chairman of the Committee to serve on all the Committee's sub-committees, noting that the attendance of the Chairman could be limited due to the level of commitments. The composition of the Sub-Committee is now as follows:-
  - Chairman of the Policy and Resources Committee
  - Deputy Chairman of the Policy and Resources Committee
  - Two Aldermen nominated by the Court of Aldermen;
  - Four Members appointed by the Court of Common Council (previously two)
  - One Member appointed by the Policy and Resources Committee;
  - One Member appointed by the Finance Committee;
  - the Recorder and Sheriffs at the Central Criminal Court (Ex-officio), with the Recorder and any Sheriff who was not a Member of the Court of Common Council, having no voting rights

The two additional Common Councilmen positions were filled at the Court's meeting in July. Named Members of the Sub-Committee are listed in Appendix A.

4. Consideration now needs to be given to how the Committee should undertake its remit of having oversight of all of the City's courts. A number of options have been explored. This included:-

- oversight being retained by the Grand Committee but this was dismissed on the basis that the Committee should continue to operate at a strategic level with detail being delegated to a dedicated body; and
  - the creation of a Sub-Committee in addition to the new CCCSC. This was also dismissed. Excluding the Committee's four working parties, the creation of another sub-committee would bring the total number of Policy Committee's sub-committees to seven.
5. The preferred option would be to expand the remit of the CCCSC and to change its title to the *Courts Sub-Committee*. Its terms of reference would also be changed as follows:-

~~*Central Criminal City Courts*~~

~~*For a period of five years, from June 2016 to April 2021, To be responsible for oversight of the management of all matters relating to the City's Courts, so far as they concern the City of London Corporation.*~~

6. Given that the CCCSC now comprises 13 Members it is not proposed to make any further adjustments to this.

#### **Aldermen and Magistracy Sub-Committee**

7. As mentioned in the previous report there would be no change to the role of the Court of Aldermen in relation to the appointment of the Secondary and Under Sheriff. All matters in relation to the activities and operation of the Shrievalty would be excluded. It should also be noted that the General Purposes Committee of Aldermen recently established a new Aldermen and Magistracy Sub-Committee. Its principal role is to maintain a regular channel of communication with the City's magistrate courts as well as to report on matters which relate to the judicial functions of the Court of Aldermen and make recommendations in relation to Livery and Royal Charter applications.

#### **Conclusion**

8. Following the Court of Common Council's decision to amend the Committee's terms of reference by giving it oversight of all the City's courts, consideration has been given to how the Committee can exercise its widened remit. A number of options have been explored and the preferred option is to expand the remit of the new CCCSC by changing its title and its terms of reference to reflect the Court's decision.

#### **Contact:**

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**Membership of the Central Criminal Court/City's Courts Sub-Committee**

Deputy Catherine McGuinness (a Deputy Chairman of the Policy and resources Committee and Chairman of the Sub-Committee)  
Alderman Sir Michael Bear (appointed by the Court of Aldermen)  
Nicholas Bensted-Smith (appointed by the Finance Committee)  
Mark Boleat (Chairman of the Policy and Resources Committee)  
Alderman and Sheriff Bowman (Ex-Officio)  
Deputy Alex Deane (appointed by the Policy and Resources Committee)  
Michael Hudson (appointed by the Court)  
Adam Richardson (appointed by the Court)  
James De Sausmarez (appointed by the Court)  
John Scott (appointed by the Court)  
Sir David Wootton (appointed by the Court of Aldermen)  
Sheriff Christine Rigden (Ex-Officio)