



## Policy and Resources Committee

**Date:** THURSDAY, 5 MAY 2022  
**Time:** 1.45 pm  
**Venue:** COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

**Members:**

Catherine McGuinness	Alderman & Sheriff Nicholas Lyons
Deputy Christopher Hayward	Wendy Mead, Farringdon Without North Side
Deputy Keith Bottomley	Deputy Andrien Meyers, Aldgate
Tom Sleigh	Deputy Brian Mooney
Deputy Rehana Ameer	Ruby Sayed (Ex-Officio Member)
Tijs Broeke	Alderman Baroness Scotland (Ex-Officio Member)
Mary Durcan, Cripplegate	Deputy Sir Michael Snyder
Deputy Marianne Fredericks	Deputy James Thomson (Ex-Officio Member)
Alderman Timothy Hailes	Deputy Philip Woodhouse
Caroline Haines, Queenhithe	Alderman Sir David Wootton
Wendy Hyde, Bishopsgate Within (Ex-Officio Member)	James Tumbridge
Deputy Shravan Joshi	Munsur Ali
Deputy Edward Lord	Benjamin Murphy
The Rt Hon. The Lord Mayor Vincent Thomas Keaveny (Ex-Officio Member)	Simon Duckworth
Alderman Ian Luder	Vacancy

**Enquiries:** Polly Dunn  
polly.dunn@cityoflondon.gov.uk

### Accessing the virtual public meeting

**Members of the public can observe this virtual public meeting at the below link:**

≤ <https://youtu.be/ViH4Demx5cs> ≥

A recording of the public meeting will be available via the above link following the end of the public meeting for up to one municipal year. Please note: Online meeting recordings do not constitute the formal minutes of the meeting; minutes are written and are available on the City of London Corporation's website. Recordings may be edited, at the discretion of the proper officer, to remove any inappropriate material.

**John Barradell**  
**Town Clerk and Chief Executive**



# **AGENDA**

NB: Certain items presented for information have been marked \* and will be taken without discussion, unless the Committee Clerk has been informed that a Member has questions or comments prior to the start of the meeting. These for information items have been collated into a supplementary agenda pack and circulated separately.

## **Part 1 - Public Agenda**

1. **APOLOGIES**

2. **MEMBERS DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

3. **ORDER OF THE COURT OF COMMON COUNCIL**

To receive the Order of the Court of Common Council dated 21<sup>st</sup> April 2022, appointing the Committee and setting its Terms of Reference.

**For Information**  
(Pages 9 - 12)

4. **ELECTION OF CHAIR**

To elect a Chair in accordance with Standing Order No. 29.

**For Decision**

5. **ELECTION OF DEPUTY CHAIR**

To elect a Deputy Chair in accordance with Standing Order No. 30.

**For Decision**

6. **ELECTION OF VICE CHAIRS**

To elect two vice Chairs in accordance with Standing Order No. 30.

**For Decision**

7. **MINUTES**

**For Decision**

- a) To agree the public minutes of the Policy and Resources Committee meeting on 17th March 2022 (Pages 13 - 20)

- b) To agree the public minutes of the Policy and Resources Committee meeting on 28th February 2022 (Pages 21 - 26)

8. **APPOINTMENT OF SUB-COMMITTEES, BOARDS AND REPRESENTATIVES ON OTHER COMMITTEES**

Report of the Town Clerk.

**For Decision**  
(Pages 27 - 64)

9. **YEAR 1 QUARTER 4 UPDATE ON CLIMATE ACTION**

Report of the Director of Innovation & Growth.

**For Decision**  
(Pages 65 - 80)

10. **APPLICATION FOR DESIGNATION OF THE TIPPERARY PUBLIC HOUSE AS AN ASSET OF COMMUNITY VALUE**

Report of the Director of Environment.

**For Decision**  
(Pages 81 - 98)

11. **LONDON PENSION FUND AUTHORITY (LPFA) PENSION LIABILITY**

Report of the Chamberlain.

**For Decision**  
(Pages 99 - 116)

12. **GUILDHALL COMPLEX REFURBISHMENT OPTIONS MEMBER CONSULTATION**

Report of the City Surveyor.

**For Decision**  
(Pages 117 - 120)

13. **MEMBERS' CODE OF CONDUCT - COMPLAINTS PROCEDURE AND ANCILLARY MATTERS FROM THE PANEL OF INDEPENDENT PERSONS.**

Joint report of the Town Clerk and Comptroller and City Solicitor.

**For Decision**  
(Pages 121 - 150)

14. **CAPITAL FUNDING UPDATE**

Report of the Chamberlain.

**For Decision**

15. **\*POLICY INITIATIVES FUND AND COMMITTEE CONTINGENCY**

Report of the Chamberlain.

**For Information**

16. **\*DIGITAL SANDBOX UPDATE**

Report of the Director of Innovation & Growth.

**For Information**

17. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

18. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

19. **EXCLUSION OF THE PUBLIC**

MOTION - That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.

**Part 2 - Non-Public Agenda**

20. **NON-PUBLIC MINUTES**

- a) To agree the non-public minutes of the Policy and Resources Committee meeting on 17th March 2022 (Pages 167 - 168)

21. **CENTRE FOR FINANCE, INNOVATION AND TECHNOLOGY UPDATE**

Report of the Director of Innovation & Growth.

**For Decision**  
(Pages 169 - 172)

22. **SUPPORT FOR INTEGRITY COUNCIL FOR THE VOLUNTARY CARBON MARKET (IC-VCM) AND UK-VCM FORUM**

Report of the Director of Innovation & Growth.

**For Decision**

23. **DESTINATION CITY - CITY ENVOY NETWORK AND MAJOR EVENTS 2022 AND 2023**

Report of the Director of Innovation & Growth.

**For Decision**  
(Pages 189 - 198)

24. **ENABLING WORKS TO DAGENHAM DOCK DEVELOPMENT**

Report of the City Surveyor.

**For Decision**  
(Pages 199 - 204)

25. **LONDON WALL WEST - ADDITIONAL FUNDING REQUEST**

Report of the City Surveyor.

**For Decision**  
(Pages 205 - 222)

26. **SECURE CITY PROGRAMME (SCP) - YEAR 3**

Joint report of the Director of Environment and Commissioner, City of London Police.

**For Decision**  
(Pages 223 - 248)

27. **SECURE CITY PROGRAMME (SCP) - CCTV & TELECOMMUNICATIONS WORKSTREAM - PHASE 2**

Joint report of the Director of Environment and Commissioner, City of London Police.

**For Decision**  
(Pages 249 - 264)

28. **\*DECISIONS TAKEN UNDER DELEGATED AUTHORITY OR URGENCY POWERS**

Report of the Town Clerk.

**For Information**

29. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

30. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED.**

**Part 3 Confidential Agenda (Items Circulated Separately)**

31. **TO AGREE THE CONFIDENTIAL MINUTES OF THE POLICY AND RESOURCES COMMITTEE MEETING ON 17TH MARCH 2022**  
**For Decision**
32. **OMBUDSMAN OUTCOME REPORT**  
Report of the Comptroller and City Solicitor.  
**For Information**
33. **MARKETS CO-LOCATION UPDATE**  
City Surveyor to be heard.  
**For Information**

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KEAVENY, Mayor	<b>RESOLVED:</b> That the Court of Common Council holden in the Guildhall of the City of London on Thursday 21 <sup>st</sup> April 2022, doth hereby appoint the following Committee until the first meeting of the Court in April, 2023.
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## POLICY & RESOURCES COMMITTEE

### 1. **Constitution**

A Non-Ward Committee consisting of,

- four Aldermen nominated by the Court of Aldermen
- 20 Commoners 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 i.e. one Member can fulfil both criteria)
- the following ex-officio Members:-
  - The Right Honourable the Lord Mayor for the time being
  - The Chief Commoner
  - 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
    - Corporate Services
    - Barbican Centre
    - Culture, Heritage and Libraries
  - The Deputy Chairman of the Finance Committee

### 2. **Quorum**

The quorum consists of any nine Members.

### 3. **Membership 2022/23**

#### ALDERMEN

- 5 Timothy Russell Hailes, J.P.
- 7 Ian David Luder, J.P.
- 2 Nicholas Stephen Leland Lyons, Sheriff
- 13 Sir David Wootton

#### COMMONERS

- 4 (4) Shravan Joshi, M.B.E., Deputy
- 14 (4) Edward Lord, O.B.E., J.P., Deputy
- 19 (4) Wendy Mead, O.B.E.
- 3 (3) Rehana Banu Ameer, Deputy
- 2 (2) Mary Durcan, *for a three year term*
- 11 (3) Marianne Bernadette Fredericks, Deputy
- 18 (3) Catherine McGuinness
- 3 (3) Andrien Gereith Dominic Meyers, Deputy
- 7 (3) Thomas Charles Christopher Sleight
- 6 (2) Keith David Forbes Bottomley, Deputy
- 6 (2) Christopher Michael Hayward, Deputy
- 6 (2) Caroline Wilma Haines
- 28 (2) Sir Michael Snyder, Deputy
- 6 (2) Philip Woodhouse, Deputy
- 1 (1) Munsur Ali
- 5 (1) Tijs Broeke
- 1 (1) Brian Desmond Francis Mooney, Deputy
- 1 (1) Benjamin Daniel Murphy
- 5 (1) James Richard Tumbridge

together with the ex-officio Members referred to in paragraph 1 above and one Member to be appointed at the May meeting of the Court of Common Council.

#### 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;
- (f) the appointment of the City Surveyor;
- (g) general matters not otherwise expressly provided for within the terms of reference of any other Committee;
- (h) the functions of the Court of Common Council as walkway authority and under Part II of the City of London (Various Powers) Act 1967 (excluding the declaration, alteration and discontinuance of City Walkway) for the purposes of promoting works to the Barbican Podium;
- (i) approving the City Corporation's annual contribution to the London Councils' Grants Scheme and agreeing, alongside other constituent councils, the proposed overall budget;
- (j) 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**

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

##### **Corporate Assets**

- (l) (i) determining the overall use of the Guildhall Complex; and
  - (ii) approving overall strategy and policy in respect of the City Corporation's assets;

##### **Projects**

- (m) 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**

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

##### **Privileges**

- (o) Members' privileges, facilities and development;

##### **Sustainability**

- (p) strategies and initiatives in relation to sustainability;

##### **Business Improvement Districts**

- (q) responsibility for the functions of the BID Proposer and BID Body (as approved by the Court of Common Council in October 2014);

##### **Sub-Committees**

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

\* Resource Allocation

Communications

Freedom Applications

Capital Buildings

Competitiveness

† Civic Affairs (including such items concerning the standards regime as set out in sub-section (s))

Operational Property and Projects (jointly with the Finance Committee)

Property Investment (jointly with the Finance Committee)

Financial Investment (jointly with the Finance Committee)

Equality, Diversity and Inclusion (jointly with the Corporate Services Committee)

\* 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 Sub Committees responsible for hospitality and Members' privileges, Capital Buildings and Freedoms 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.

(s) **Standards and Code of Conduct**

Following the decision of the Court of Common Council on 14 January 2021, the Committee (through its Members' Privileges Sub-Committee) shall have interim responsibility for the following matters, previously under the purview of the Standards Committee, until such time as the Court determines otherwise:-

- (i) 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;
- (ii) 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;
- (iii) keeping under review, monitoring and revising as appropriate the City of London Corporation's Guidance to Members on the Code of Conduct;
- (iv) keeping under review by way of an annual update by the Director of HR, the City of London Corporation's Employee Code of Conduct and, in relation to any revisions, making recommendations to the Establishment Committee;
- (v) keeping under review and monitoring the Protocol on Member/Officer Relations and, in relation to any revisions, making recommendations to the Establishment Committee;
- (vi) advising and training Members and Co-opted Members on matters relating to the City of London Corporation's Code of Conduct.

(t) **Freedom Applications**

Responsibility for all matters relating to Freedom Applications;

(u) **Capital Buildings**

Responsibility for major capital building projects (defined as projects for new or substantially refurbished buildings or associated preparatory works and enabling projects with an estimated budget of £100 million or more, or which have been otherwise referred to the Committee) which have been approved in principle by the Court of Common Council and are being directly delivered by the City of London Corporation;

(v) **Operational Property and Projects (joint with Finance Committee)**

The Operational Property and Projects Sub Committee is responsible for the effective and sustainable management and strategic plans for the City of London Corporation's operational property portfolio; this includes the monitoring of capital projects, acquisitions and disposals, and the upkeep, maintenance and, where appropriate, furnishing for operational properties (including the Guildhall Complex). In addition, the Sub Committee is responsible for strategies, performance, and monitoring initiatives in relation to energy usage, and for monitoring and advising on bids for Heritage Lottery funding.

It provides dedicated scrutiny for all City Corporation and City of London Police procurement contracts above £2m, with a view to driving value for money;

**Benefices**

(w) All matters relating to the City's obligations for its various benefices.

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## POLICY AND RESOURCES COMMITTEE

Thursday, 17 March 2022

Minutes of the meeting of the Policy and Resources Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Thursday, 17 March 2022 at 1.45 pm and livestreamed at <https://www.youtube.com/watch?v=fHh4JcSlkU>

### Present

#### Members:

Deputy Catherine McGuinness (Chair)  
Christopher Hayward (Deputy Chairman)  
Deputy Keith Bottomley (Vice-Chairman)  
Deputy Tom Sleigh (Vice-Chair)  
Nicholas Bensted-Smith (Ex-Officio Member)  
Tijs Broeke  
Mary Durcan  
Marianne Fredericks  
Caroline Haines  
Deputy Wendy Hyde (Ex-Officio Member)  
Deputy Jamie Ingham Clark  
Shravan Joshi  
Deputy Edward Lord  
Alderman Ian Luder  
Alderman & Sheriff Nicholas Lyons  
Andrew McMurtrie  
Wendy Mead  
Deputy Andrien Meyers  
Deputy Brian Mooney (Chief Commoner) (Ex-Officio Member)  
Sir Michael Snyder  
Deputy Philip Woodhouse  
Alderman Sir David Wootton

#### In Attendance:

Mathew Bell	Mark Bostock
Deputy David Bradshaw	Deputy Roger Chadwick
John Chapman	Henry Colthurst
Helen Fentiman	Graeme Harrower
Christopher Hill	Ann Holmes
Benjamin Murphy	Deputy Barbara Newman
Graham Packham	Susan Pearson
Judith Pleasance	Deputy Henry Pollard
Ian Seaton	Oliver Sells
William Upton	Dawn Wright

#### Officers:

John Barradell	- Town Clerk and Chief Executive
Michael Cogher	- Comptroller and City Solicitor
Paul Double	- City Remembrancer
Polly Dunn, Clerk	- Town Clerk's Department

Caroline Al-Beyerty  
 Damian Nussbaum  
 Bob Roberts  
 Peter Lisley  
 Gregory Moore  
 Christopher Rumbles  
 Jacqueline Ryan  
 Gemma Stokley  
 Sonia Virdee  
 Paul Wright  
 Peter Young  
 Dionne Corradine  
 Emma Cunningham  
 Anna Dunne  
 James Gibson  
 Michael Gwyther-Jones

Richard Messingham  
 Ben Milligan  
 Emma Moore  
 Gordon Roy

- The Chamberlain
- Director of Innovation & Growth
- Director of Communications
- Director of Major Programmes
- Assistant Town Clerk
- Town Clerk's Department
- Town Clerk's Department
- Town Clerk's Department
- Chamberlain's Department
- Deputy Remembrancer
- City Surveyor's Department
- Chief Strategy Officer
- Town Clerk's Department
- Programme Director
- Chief Operating Officer's Department
- Community and Children's Services Department
- Town Clerk's Department
- Markets Director
- Chief Operating Officer
- Environment Department

The Chair welcomed all Members of the Committee, those Members of the wider Court that were in attendance for item 18 and any Members of the public that were viewing the meeting via the live stream.

**1. APOLOGIES**

Apologies were received from Rehana Ameer, Alderman Tim Hailes, Anne Fairweather, Mark Wheatley and James Thomson.

**2. MEMBERS DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

There were no declarations.

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At this point in the meeting the Town Clerk confirmed the Chair's intention to change the running order of the agenda by moving the confidential agenda item 18 to this point in the meeting. This was to allow for wider Members of the Court in attendance to be able to participate in the discussion before the Committee moved on to regular items of business on the agenda. Members were invited to exclude the public temporarily for consideration of this item.

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RESOLVED: That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for consideration the following item of business on the grounds it will involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act.

**18. NEGOTIATIONS WITH THE SMITHFIELD MARKET TENANTS' ASSOCIATION IN SUPPORT OF THE MUSEUM OF LONDON AND MARKETS CO-LOCATION PROGRAMME**

The Committee considered a joint report of the City Surveyor, Major Programmes Director, Chief Operating Officer, Markets Director and Chamberlain relating to negotiations with the Smithfield Market Tenants' Association in support of the Museum of London and Markets Co-location Programme.

At the conclusion of discussion on this item Members resolved, that the public be readmitted to the meeting for consideration of the remaining public items of business.

### **3. MINUTES**

- a) Public minutes of the Policy and Resources Committee meeting held on 17 February 2022.

A Member referred to item 17 and the reference having been to King William Street Bridge rather than London Bridge.

RESOLVED: That the public minutes of the Policy and Resources Committee meeting held on 17<sup>th</sup> February 2022 be approved, with the above clarification being included.

- b) The draft public minutes of the Resource Allocation Sub-Committee meeting held on 3 February 2022 were noted.
- c) The draft public minutes of the Projects Sub-Committee meeting held on 17 February 2022 were noted.

### **4. SUB-COMMITTEE TERMS OF REFERENCE**

The Committee considered a report of the Town Clerk that provided Members with an opportunity for early review and consideration in respect of terms of reference for sub-committees that would sit under the Policy and Resources Committee moving forward.

The Town Clerk agreed to run through each Sub-Committee and take feedback on composition, responsibilities and any additional points for consideration. During the discussion that followed the following key points were raised:

- Any reference to Chair of General Purposes of the Court of Alderman should should read his or her nominee throughout.
- Competitiveness Advisory Board arrangements were two Aldermen rather than specifically naming positions.
- A Member referred to delegated authority being granted to Resource Allocation Sub-Committee to agree allocation of resources rather than the Grand Committee retaining oversight, which they considered to be a huge shift in power. A Member proposed officers be asked to consider possible thresholds, which Members endorsed.
- Civic Affairs Sub-committee 'Four Members of the Court of Common Council' should be elected by Court of Common Council rather than Policy and Resources Committee.
- Members agreed that the Chairman of Finance Committee should be included as part of the composition of Civic Affairs Sub-Committee.

- The Town Clerk added clarification and a proposal relating to Capital Buildings Board; that the Committee consider upholding the existing Court appointments and their remaining terms, which received the support of Members.
- It was suggested terms of reference (composition and responsibilities) for Financial and Property Investment Boards required more detailed consideration and tasked officers with bringing back revised proposals.
- There was a need to ensure appropriate transition from Tackling Racism Taskforce to Equality, Diversity & Inclusion Sub-Committee given the drastic change to composition, ensure there were no gaps in experience and knowledge in moving from one Committee to another.

The Town Clerk highlighted changes to terms of reference may lead to changes to Policy and Resources Committee's terms of reference, with these being updated in the usual way and submitted to Court.

A Member referred to the draft minute extract of the discussion at Benefices Sub-Committee on 7 February 2022 and proposed this be formally referred to the first meeting of Civic Affairs Sub-Committee, which Members supported. The Town Clerk referred to a suggestion that one of the Policy and Resources Committee allocated places goes to the outgoing Chairman of Benefices Sub-Committee, in the first year, to ensure the new Sub-Committee adequately captured all responsibilities it would be overseeing, which Members endorsed.

A Member referred to the current process for the election of Deputy Chair and Vice Chairs and suggested a simpler process moving forward would be to elect a Deputy Chair in one ballot and the Vice Chairs in a second ballot. This would make the process clearer; people would know the candidate they were voting for and for which role. The Deputy Chairman supported this proposed change and suggested a Deputy Chair elected by the whole committee would enjoy far more confidence if they were elected in this way. Members were supportive of this approach, noting this change would require agreement of Court of Common Council.

The Town Clerk proposed using previously scheduled dates for the new schedule of Sub-Committee meetings, which Members supported.

RESOLVED: That Members: -

- Note the various areas of consideration in respect of the Sub-Committee terms of reference would be updated and brought back for final approval in May 2022; and
- Agreed to previously scheduled dates being used to form the schedule of meetings for the new sub-committees.

## 5. **POLICY INITIATIVES FUND AND COMMITTEE CONTINGENCY**

The Committee considered a report of the Chamberlain providing details of the uncommitted balances of the Policy Initiatives Fund (PIF), the Policy and Resources Committee's Contingency Fund, Committee's Project Reserve and COVID19 Contingency Fund for 2021/22 and seeking approval to carry balances forward into 2022/23.



Members noted that, following publication of the agenda, Court of Common Council had agreed to £125,000 of the 2021/22 unallocated PIF balance going towards supporting the Ukraine Disaster Fund. As such, the unallocated balance of PIF for carry forward as detailed within the report would reduce by £125,000 from £262, 307 to £137,307.

RESOLVED: That Members: -

- Note the contents of the report.
- Approve the 2021/22 unallocated balances on your Committee's PIF and Contingency Fund being carried forward into 2022/23.
- Approve the 2021/22 COVID Contingency Fund balances being carried forward into 2022/23.
- Authorise the Executive Director of IG to repurpose the remaining unspent balance against the Adoption of Competitiveness Strategy - Development of an 'Asset Under Management' Campaign Initiative.

**6. BARBICAN PODIUM WORKS - GOVERNANCE ARRANGEMENTS**

The Committee considered a joint report of the Town Clerk and Comptroller and City Solicitor seeking approval to the Barbican Podium Works being promoted by Policy and Resources Committee to address the 'separation functions' that persons acting in the planning authority functions (both officers and Members) should not be involved in promoting an application for planning permission that comes before them.

RESOLVED: That Policy and Resources Committee recommend to the Court of Common Council that the functions of Planning and Transportation Committee as walkway authority and under Part II of the City of London (Various Powers) Act 1967 in connection with the promotion of the Barbican Podium Works (but not the diversion, alteration, revocation or declaration of any City Walkway) be delegated to Policy and Resources Committee for the duration of the Barbican Podium project.

**7. CAPITAL FUNDING UPDATE - REQUEST FOR DELEGATED AUTHORITY**

The Committee considered a report of the Chamberlain relating to projects in the capital programme that were reliant on central funding previously agreed 'in principle' as part of the annual capital bids and seeking delegated authority to the Town Clerk, in consultation with the Chair and Deputy Chairman of Policy and Resources Committee to approve drawdown of funds until the next planned meeting of Policy and Resources Committee on Thursday 5<sup>th</sup> May 2022.

RESOLVED: That Members: -

- Delegate authority to the Town Clerk, in consultation with the Chairman and Deputy Chairman of the Policy and Resources Committee, to approve requests to draw-down against central funding allocations previously approved in principle via the annual capital bids process.

**8. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

**Ukraine** – A Member referred to Court of Common Council having recently condemned the military action being taken by Russia in Ukraine and they questioned whether the City Corporation should consider condemning China who had failed to condemn the Russian government's actions. The Chair responded confirming the City Corporation continued to support actions and sanctions that were being imposed against Russia. At this time, HM Government had not proposed the same form of sanctions with China and as such the City Corporation would maintain its current position. This would be reviewed should Government change its position.

**Abuse of Human Rights** – A Member referred to agreement at Court of Common to a report on policy on ethical investments and international engagement and questioned which officer would be leading on this. Members noted the Chief Operating Officer would be leading on this piece of work, with a Working Group of senior officers having been established to consider a range of issues and report back.

**Committee Room Microphones** – A Member referred to earlier difficulties with the microphones and questioned whether wireless rather than wired microphones could be explored during the period in advance of the new municipal year. The Chief Operating Officer acknowledged the issues experienced. There was currently no budget available to implement a new system in advance of the new municipal year but .

A Member responded and suggested there was a need to get a system in place that was fit for purpose and given the relative cost suggested any approval needed to achieve this could be taken under urgent decision to get it done.

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*At this point in the meeting, in accordance with Standing Order 40, a decision was taken to extend the length of the meeting.*

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The Deputy Chairman agreed that there was a need to resolve the issue, with the current problems looking unprofessional to those observing the meeting.

## 9. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

**World Wildlife Fund for Nature (WWF) Earth Hour** – The Chair referred to WWF promoting Earth Hour that would be taking place on 26 March 2022. WWF were asking businesses and organisations to turn off non-essential lights for one hour between 8.30pm to 9.30pm on a specific day in March, as a symbol of commitment to the planet. Members were being asked to support the event this year, agreeing to City Corporation buildings switching off non-essential lights and agreeing to the promotion of the event to city residents and businesses. Members endorsed the proposal.

RESOLVED: That Members:-

- Approve the City Corporation supporting World Wildlife Fund's Earth Hour through the City Corporation buildings switching off non-essential lights and through promotion of the event to city residents and businesses.

**Chair of Policy** – The Chair remarked on this being her last meeting as Chair and how she wanted to take the opportunity to thank Members and officers for their support over the last five years, which had been a period like no other with the challenges that have been faced.

It had been good to see partnerships strengthened in a number of areas and to see the progress the City Corporation had been able to make in supporting Covid recovery, setting a pathway to net zero and in increasing London's role on ESG and supporting UK competitiveness.

The Chair thanked Members of this Committee and the wider Court for giving her an opportunity to play her part in this.

The Chair thanked the various Deputies and Vice Chairs who have worked with her, Lord Mayor's she has had the privilege to work alongside, and the Chairman of GP Committee of Aldermen who had been so helpful in forging a one team approach.

The Chair concluded by giving a very warm thank you to the dedicated officers across the City Corporation who deliver the contribution the organisation makes.

The Deputy Chairman responded and thanked the Chair for her outstanding leadership and to wish her well for whatever she goes on to do in the future.

**10. EXCLUSION OF THE PUBLIC**

RESOLVED: That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.

**11. NON-PUBLIC MINUTES**

- a) The non-public minutes of the Policy and Resources Committee meeting held on 17 February 2022 were agreed.
- b) The draft non-public minutes of the Projects Sub-Committee meeting held on 17 February 2022 were noted.
- c) The draft non-public minutes of the Resources Allocation Sub-Committee meeting held on 3 February 2022.

**12. CITY HOSPITALITY COST GUIDELINES 2022/23**

The Committee considered a report of the Remembrancer relating to City Hospitality Guidelines 2022/23

**13. GUILDHALL CHARGING REVIEW**

The Committee considered a report of the Remembrancer relating to a Guildhall Charging Review.

**14. CHIEF INVESTMENT STRATEGY OFFICER**

The Committee received a report of the Chamberlain providing an update in relation to a Chief Investment Strategy Officer.

15. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

16. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED.**

There were no urgent items of business.

17. **CONFIDENTIAL MINUTES**

RESOLVED: That the Confidential minutes of the Policy and Resources Committee meeting on 17 February 2022 were agreed.

18. **NEGOTIATIONS WITH THE SMTA IN SUPPORT OF THE MOL AND MCP PROGRAMMES**

The Committee considered this item earlier in the meeting.

**The meeting ended at 3.50pm**

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Chairman

**Contact Officer: Polly Dunn**  
**[polly.dunn@cityoflondon.gov.uk](mailto:polly.dunn@cityoflondon.gov.uk)**

## **POLICY AND RESOURCES COMMITTEE** **Monday, 28 February 2022**

Minutes of the meeting of the Policy and Resources Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Monday, 28 February 2022 at 11.00 am and livestreamed at [https://www.youtube.com/watch?v=0fj87xi\\_kUU](https://www.youtube.com/watch?v=0fj87xi_kUU)

### **Present**

#### **Members:**

Catherine McGuinness (Chair)  
Deputy Christopher Hayward (Deputy Chairman)  
Tijs Broeke  
Mary Durcan  
Deputy Marianne Fredericks  
Alderman Timothy Hailes  
Wendy Hyde (Ex-Officio Member)  
Deputy Jamie Ingham Clark  
Deputy Shravan Joshi  
Deputy Edward Lord  
Alderman Ian Luder  
Jeremy Mayhew  
Wendy Mead  
Deputy Brian Mooney (Chief Commoner) (Ex-Officio Member)  
Deputy Alastair Moss (Ex-Officio Member)  
Deputy Sir Michael Snyder  
Deputy Philip Woodhouse  
Alderman Sir David Wootton

#### **In attendance:**

Jeremy Simons	Paul Marinelli
Anne Holmes	Kevin Everett
Greg Lawrence	Randall Anderson
John Bennett	Mark Bostock
David Bradshaw	John Chapman
Roger Chadwick	Henry Colthurst
Helen Fentimen	George Abrahams
Alison Gowman	David Graves
Graeme Harrower	Michael Hudson
Alderman Peter Estlin	Judith Pleasance

#### **Officers:**

John Barradell	- Town Clerk and Chief Executive
Caroline Al-Beyerty	- Chamberlain
Michael Cogher	- Comptroller and City Solicitor
Paul Double	- City Remembrancer
Bob Roberts	- Director of Communications
Gregory Moore	- Assistant Town Clerk
Polly Dunn	- Town Clerk's Department
Paul Wilkinson	- City Surveyor

1. **APOLOGIES**

Apologies were received from the Rt Hon. The Lord Mayor, Vincent Keaveny, Ann Fairweather and Rehana Ameer.

2. **MEMBERS DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

There were no declarations.

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At this point in the meeting, the Chair of Policy provided Members with an update on the City Corporation's response to Russian aggression in Ukraine.

The Chair referred to her previous statement on the morning of the invasion condemning Russia's military aggression that threatened Ukraine's sovereignty and the international rule of law, with this message having been repeated by the Lord Mayor through a newspaper article published that day.

The Chair talked through the action taken by the City Corporation and how it had been supporting the Ukrainian people in a number of ways including the lighting up of Guildhall, the donation of £25k to support UNICEF and their ongoing efforts on the border of Ukraine, and through City Bridge Trust – which had already funded organisations supporting refugees arriving in the UK. There was ongoing engagement with HM Government, regulators and the financial sector on the implementation of sanctions. The City Corporation continued to work with the Foreign Office to support these measures and to bring about a peaceful solution as soon as possible.

The Chair responded to questions centring on whether it was right for the City Corporation to intervene on foreign affairs. The Chair explained how the City Corporation had always looked to engage across the world to promote London. The UK was united in its opposition of the war in Ukraine and the exercising of economic sanctions, which were at the centre of the West's response. The Chair considered it imperative that the City Corporation made its position clear.

The Chair commented on plans that were underway to present the Freedom of the City of London to the Ukrainian Ambassador to the UK.

A Member questioned whether the City Corporation would look to use its influence to achieve the most rigorous sanctions possible in response to the action taken by the Russian Government against the Ukrainian people. It was also questioned whether the City Corporation had reversed its position in relation to international intervention and whether it should now look to condemn the actions of other countries in violation of human rights. The Chair responded and referred to her earlier statement outlining a number of the actions already being taken in support of Ukraine and confirmed the City Corporation continued to engage across the world where there was a locus.

The Chair concluded the item and thanked Members for their support and the many constructive suggestions that had been received over the last few days.

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At this point in the meeting the Town Clerk referred to requests that had been received from Members ahead of the meeting seeking to facilitate remote participation in the meeting and allow for their participation during consideration of the item relating to Review of Standing Orders.

The Town Clerk clarified that that in order to facilitate remote participation in today's meeting, the formal meeting would need to be adjourned. Members, including those joining remotely, could then proceed to discuss the item on an informal basis, whilst allowing Members of the public to view the item in the interests of transparency. Once Members had concluded their informal discussion of the item, the formal meeting would be reopened, and formal approval sought from the quorate Committee in session.

Members agreed and RESOLVED to adjourn the formal meeting at this point.

*The Town Clerk confirmed that the meeting would proceed on an informal basis. Matters raised in the discussion were captured and are included below.*

### **3. REVIEW OF STANDING ORDERS**

The Committee considered a report of the Town Clerk presenting a series of changes to Standing Orders arising the comprehensive Governance Review undertaken by Robert Rogers, The Lord Lisvane. There were also changes giving effect to governance changes surrounding the Bridge House Estates Board. There were a number of typographical errors that had been corrected as well as other areas where it was felt that changes would be beneficial.

It was noted that a final decision on all proposed changes to Standing Orders would fall to Court of Common Council.

Following discussion on each amendment, it was agreed that proposals seemed to fall into three categories:

- Those that captured straightforward, consequential changes to Standing Orders which gave effect to recommendations already supported by the Court in response to the Governance Review, and governance changes to the Bridge House Estates Board.
- Suggested changes that still required drafting; these were largely amendments that where the outcome was considered sensible and in the interests of the management of Court, and its Committees.
- Those items where Policy and Resources Committee had noted contention between Members, and where no specific determination or recommendation could be made. These were to be presented as open questions for the Court's consideration.

The Court's determination would then be sought in respect of the various items, together with seeking such authority to the Town Clerk as may be required to allow for the Court's decisions to be reflected in the final Standing Orders document.

*At this point in the meeting, the formal meeting was reconvened, and the Committee agreed to the views expressed through informal engagement being resolved as indicated.*

RESOLVED: That Members: -

- Recommend the changes to Standing Orders presented in table 1, for approval by the Court of Common Council;
- Agree that the remaining changes and amendments to Standing Orders be and presented to Court of Common Council in such a way that reflects the three categories outlined above;
- Grant delegated authority for the Town Clerk to draft any changes to the proposed Standing Orders that give effect to matters raised, in advance of seeking final approval of the Court of Common Council. and that
- Recommend to the Court of Common Council that the Town Clerk be authorised to make any such changes as are required following the Court's consideration, so to facilitate the implementation of agreed amendments.

4. **DIGITAL SERVICES COMMITTEE**

The Committee considered a report of the Town Clerk setting out draft terms of reference for a new Digital Services Committee.

RESOLVED: That Members: -

- Approve the draft terms of reference for the new Digital Services Committee for consideration by the Court of Common Council.

5. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

6. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There were no urgent items of business.

7. **EXCLUSION OF THE PUBLIC**

RESOLVED: That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

8. **CONFIDENTIAL RESOLUTION OF DIGITAL SERVICES SUB-COMMITTEE TO FINANCE COMMITTEE AND POLICY AND RESOURCES COMMITTEE**

The Committee considered a resolution of Digital Services Sub-Committee relating to the circulation of papers for committee meetings moving forward.

RESOLVED; That Members (in support of the Corporations Climate Action Strategy): -

- Agree to an 'opt-in' approach whereby the default position of Members would be 'electronic-first', but that all Members be entitled to receive paper copies of committee papers on request; and



- Remove any need to seek agreement of the Assistant Town Clerk in the process of requesting hard-copies.

9. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

10. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There were no additional items of business.

**The meeting ended at 1.00pm.**

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Chairman

**Contact Officer: Polly Dunn**  
**[polly.dunn@cityoflondon.gov.uk](mailto:polly.dunn@cityoflondon.gov.uk)**

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# Agenda Item 8

<b>Committee(s)</b>	<b>Dated:</b>
Policy & Resources	5 May 2022
<b>Subject:</b> Appointment of Sub-Committees, Boards and Representatives on other Committees	<b>Public</b>
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	3, 8, 10
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>No</b>
<b>If so, how much?</b>	<b>NA</b>
<b>What is the source of Funding?</b>	<b>NA</b>
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>NA</b>
<b>Report of:</b> The Town Clerk & Chief Executive	<b>For Decision</b>
<b>Report author:</b> Polly Dunn, Principal Governance and Member Services Manager	

## Summary

The appointment, composition and terms of reference of the Policy & Resources Committee's sub-committees and working parties are considered annually, together with the appointment of its representatives on other City Corporation Committees. The opportunity is also taken to review the frequency of the Committee's meetings.

Following the various approvals undertaken by this Committee and the Court of Common Council, Policy & Resources Committee will have following sub-committees:-

- Resource Allocation Sub-Committee;
- Communications (formerly Public Relations) Sub-Committee;
- Civic Affairs Sub-Committee;
- Capital Buildings Board (formerly Capital Buildings [Grand] Committee);
- Freedom Applications Sub-Committee (formerly Freedom Applications [Grand] Committee);
- Equality, Diversity and Inclusion Sub-Committee (joint with Corporate Services Committee)
- Operational Property and Projects Sub-Committee (joint with Finance Committee);
- Financial Investment Board Outside Bodies Sub-Committee (joint with Finance Committee);
- Property Investment Board (joint with Finance Committee)
- Competitiveness Advisory Board.

The Committee also appoints representatives to serve on a number of other City Corporation committees and sub-committees.

For ease of reference, details of the composition and terms of reference of the Committees, Boards and Sub-committees are set out in the Appendices A-J to this report together with the details of the representatives appointed to serve elsewhere (Appendix I).

Members will recall that the traditional manner in which the appointments process is undertaken in Committee can take some considerable time and can disrupt the flow of the meeting. Therefore, in view of the large number of appointments, together with the opportunities afforded by electronic voting, it is proposed that where ballots are required, confirmation of final nominations be provided at the meeting and that electronic ballot papers be issued for completion following the meeting. This is consistent with the approach taken for your appointments in 2021/22, which worked well, and will allow all Committee Members time to consider the nominations and vote accordingly.

## **Recommendations**

It is recommended that:-

1. consideration be given to the appointment, composition and terms of reference of the following sub-committees for the ensuing year:-
  - Resource Allocation Sub-Committee (six vacancies);
  - Communications (formerly Public Relations) Sub-Committee (five vacancies);
  - Civic Affairs Sub-Committee (four vacancies)
  - Capital Buildings Board (three vacancies);
  - Freedom Applications Sub-Committee (one vacancy);
  - Equality, Diversity and Inclusion Sub-Committee (two vacancies to be filled by the Committee membership)
  - Operational Property and Projects Sub-Committee (four vacancies);
  - Financial Investment Board Outside Bodies Sub-Committee (two vacancies)
  - Property Investment Board (two vacancies)
  - Competitiveness Advisory Board (no vacancies to be filled directly by the Committee membership).
2. The Chairman and Deputy Chairman of the Communications, Civic Affairs, Freedoms Application Sub-Committees and Capital Buildings Board be confirmed under delegated authority, following consultation, after appointments to these Sub-Committees are confirmed. This is in accordance with proposals that the Chairman of the Committee (or their nominee) take the Chair of the following sub-committees:
3. Members be appointed to represent the Committee on each of the following:-
  - Audit and Risk Management Committee
  - Barbican Centre Board
  - Education Board (this is open to all Members of the Court)
  - Local Plans Sub (Planning) Committee
  - Economic & Cyber Crime (Police Authority Board) Committee

(see Appendix K for 2021/22 appointments);

4. representatives be appointed for informal consultation with the Court of Aldermen and the Finance Committee on Mayoralty and Shrievalty Allowances (see Appendix K for 2021/22 appointments); and,
5. that the various appointments listed above be balloted on electronically (where a contest is required) and that authority be delegated to Town Clerk, in consultation with the Chair and Deputy Chairman, to approve appointments on the basis of the outcomes of the said electronic ballot process.

## Main Report

### Background

1. This report considers the appointment, terms of reference and composition of the Policy & Resources Committee's sub-committees and working parties. It also sets out details of the representatives the Committee is requested to appoint to serve on other City Corporation bodies.
2. The Committee is also required to review the frequency of its meetings. It usually meets on a monthly basis (with the exception of recess periods). No meetings were cancelled last year and meeting on a monthly basis is still working well.

### Current Position

3. There are a number of specific areas of the Committee's work which it has historically determined require greater focus and for which it has created a sub-committees and working parties. As a result of the conclusion of the Governance Review and subsequent discussions by this Committee and the Court of Common Council, the final changes were proposed in respect of the historic Subs and Working Parties:-

<b>2021/22 Committee Working Party</b>	<b>Sub-and</b>	<b>Summary of the final agreed recommendations post-Governance Review</b>
Resource Allocation		Continue – with greater delegated powers from the Grand
Public Relations		Rename "Communications"
Projects		Merge with Corporate Assets and Procurement Sub (Finance) Committees Become a joint sub with Finance Committee
Outside Bodies		Merge with other functions under "Civic Affairs" Sub-Committee
Member Privileges		Merge with other functions under "Civic Affairs" Sub-Committee
Hospitality		Merge with other functions under "Civic Affairs" Sub-Committee
Ceremonial		Merge with other functions under "Civic Affairs" Sub-Committee
Culture Mile		Assumed into the work of the Culture, Heritage and Libraries Committee
Member Diversity		Merge with other functions under "Equality, Diversity and Inclusion" Sub-Committee
Tackling Racism Task Force		Merge with other functions under "Equality, Diversity and Inclusion" Sub-Committee
Member Financial Assistance		Merge with other functions under "Civic Affairs" Sub-Committee
Competitiveness		Continue – unchanged.

4. Further to these, it was determined that the Policy & Resources Committee should have oversight (or greater oversight) of the following areas (Freedom Applications,

Capital Buildings, Property and Financial Investment). As such, these appear as new Sub-Committees for appointment.

5. The Chair (or their nominee) serves in an ex-officio capacity on all the Sub-Committees. On a number, the Sub-Committees, it is proposed that in order to share responsibility and oversight, the Deputy Chairman or one of the two Vice Chairmen also serve in an ex-officio capacity. Who will act as a representative on each will be determined by the Chairman in discussion with the Deputy and two Vices. All three Deputies will serve on the Resource Allocation and Communication Sub-Committees.
6. Each of the Committee's proposed Sub-Committees and Boards, and the appointments to other committees are considered in turn below. Details of their terms of reference and proposed composition are set out in the Appendices to this report.

### **Resource Allocation Sub-Committee (RASC)**

7. Determining resource allocation in accordance with the City Corporation's strategies is undertaken on behalf of the Committee by the Resource Allocation Sub-Committee, which also performs the role of a Reference Sub-Committee, in that it considers and makes recommendations on matters referred to it by the Grand Committee. Its constitution is determined by the Court.
8. The terms of reference are approved by the Court, however, there are amendments needed to reflect changes following changes to other Sub-Committee to be agreed this day. The Committee are invited recommend these changes to the Court for approval.
9. Within the Governance Review, it was also recommended that RASC have greater delegated powers. This is again for the Court to decide but the Committee may wish to take a view and make a recommendation accordingly.
10. There are **six** vacancies on this Sub-Committee to which the Grand Committee is asked to appoint.

### **Communications Sub-Committee (CSC)**

11. This Sub-Committee has recently re-focused on all matters relating to the City Corporation's Public Relations, Public Affairs and Communication activities, including any related plans, policies and strategies. There are normally **five** vacancies on this Sub-Committee to which the Grand Committee is asked to appoint.
12. Following recent discussions at the Sub and Grand Committee this year, Members supported adding reference to matters relating to the promotion of London to the Terms of Reference. This has therefore been included.
13. The Chairman of the Sub-Committee is to be the Chairman of Policy & Resources, or their nominee. Members will be invited to consider proposals for the Chairmanship and Deputy Chairmanship of the Sub-Committee.

### **Civic Affairs Sub-Committee (CAS)**

14. This is to be a newly constituted Sub-Committee which will take on the work of a series of existing sub-committees and working parties.

#### **Outside Bodies**

- Oversees the City Corporation's Outside Bodies Scheme on behalf of the Committee. Its primary purpose is to keep the City Corporation's policy and protocol towards outside bodies under review to ensure that they remain fit for purpose.

#### **Members' Privileges**

- In place of the Members' Privileges Sub-Committee, the Civic Affairs Sub-Committee will focus on Members' privileges; Members' facilities (excluding Guildhall Club as this is dealt with by a dedicated committee); and Member development and training.

#### **Hospitality**

- In place of the Hospitality Working Party, the Civic Affairs Sub-Committee is responsible for considering and making recommendations on City Corporation hospitality and on the applications for the use of Great Hall. Applications for the use of other venues within Guildhall are determined by the Remembrancer in consultation with Chief Commoner.

Small changes regarding use of Guildhall and the selection of eligible caterers has been proposed following consultation with the Remembrancer.

#### **Ceremonial**

- The Ceremonial Working Party was established for a limited period in 2016 to review the City Corporation's ceremonial protocols and practices and to update and consolidate the Ceremonials Book. Whilst good progress was made, the subsequent reorganisation of Mansion House and the Central Criminal Court has had an impact on the timely delivery of this project. The ongoing discussions around a new Target Operating Model suggested it would be imprudent to recommence activity in 2021, but it is envisaged that the review would be able to resume once the reorganisation is settled later in 2021 or early 2022. It is, therefore, recommended that this work fall to the Civic Affairs Sub-Committee.

#### **Members Financial Assistance**

- In 2018, the Committee supported a review of Members' financial support. It was agreed that, rather than this being undertaken independently, a working party should be created to review the existing Scheme and to also examine what additional assistance could be given to Members to support them in conducting their duties as elected Members of the City of London Corporation. The Members' Financial Assistance Working Party was, therefore, established.

The new Member Support Scheme (and extended Scheme) is now in place and Members are invited to consider whether it wishes to task this Sub-Committee with matters relating to the Scheme, including responsibility to review this provision periodically and the potential review into allowances for specific duties.



### **Benefices**

- To take over from the Benefices Sub (Culture Heritage and Libraries Committee) to consider matters relating to the City's obligations for its various Benefices
15. In addition to the Chair and a Deputy (or Vice Chairman), **four places** are filled by this Committee on an annual basis, along with four places reserved for Members not on the Committee, to be appointed by the Court.
  16. The Chairman of the Sub-Committee is to be the Chairman of Policy & Resources, or their nominee. The Deputy Chairman shall be the Chief Commoner.

### **Capital Buildings Board (CBB)**

17. This is a new Sub-Committee which will take on the work of the existing Grand Committee (Capital Buildings Committee). It will be responsible for the management and oversight of major capital building projects (i.e. those projects with an estimated budget of £100 million or more), together with other such projects which have been referred to it.
18. To provide some continuity, it is proposed that the Membership of the Grand Committee be carried over, with existing Members (Alderman Ian Luder, Alderman and Sheriff Gowman and Deputy Edward Lord) being offered first refusal, to carry out the remaining one, two, and three year of their term (respectively). Beyond this, the Sub-Committee has **three places** to be filled by this Committee. This is an increase in one place for the Committee to reflect its change of status of a Grand Committee to a Sub of Policy & Resources. Members are to be elected from and by the Court of Common Council
19. The Chairman of the Sub-Committee is to be the Chairman of Policy & Resources, or their nominee. Members will be invited to consider proposals for the Chairmanship and Deputy Chairmanship of the Sub-Committee.

### **Freedom Applications Sub-Committee (FASC)**

20. This is a new Sub-Committee which will take on the work of the existing Grand Committee (Freedom Applications Committee). It will be responsible for examining and reporting back on any applications for the Freedom referred to it by the Court of Common Council.
21. To provide some continuity, it is proposed that the Membership of the Grand Committee be carried over. The Sub-Committee has **one place** to be filled by this Committee. Two Members are to be elected from and by the Court of Common Council and it is proposed that existing Members (Tijs Broeke and Dominic Christian) be offered first refusal, to carry out the remaining one year of their term.
22. The Chairman of the Sub-Committee is to be the Chairman of Policy & Resources, or their nominee. Members will be invited to consider proposals for the Chairmanship and Deputy Chairmanship of the Sub-Committee.

### **Operational Property and Projects Sub-Committee (OPPS) (joint with Finance Committee)**

23. This takes on the responsibilities for the Projects Sub-Committee, Corporate Assets Sub-Committee and Procurement Sub-Committee. It will provide:

- **Projects**  
additional scrutiny, oversight and challenge for the management of projects and programmes;
- **Corporate Assets**  
Management of the performance and adequacy of all the operational property assets, the overall annual programme of work for repairs and maintenance, the utilisation of resources and for ensuring that a summary list of proposed schemes is submitted annually as part of the resource allocation process. Oversight of asset and facilities management of Guildhall, Mansion House and the Central Criminal Court and approving the Corporate Asset Management Plan.

An additional reference has been included by request of the City Surveyor, in response to recommendations from the Service Based Review, for OPPS to have the ability to commission from Service Committees periodic management information on asset management performance.

#### **Procurement**

- Scrutiny of value for money on procurement contracts, including initial tender strategy to final contract award sign off, waivers and monitoring of lessons learned. Consulting Committees and Officers on decisions made corporately on procurement. Monitoring performance against the Chamberlain's Departmental Business Plan and related corporate initiatives; UK Public Contract Regulations and the Corporation's Procurement Code
24. There are **four** vacancies on this Sub-Committee to which this Grand Committee is asked to appoint. Up to two Members are to be co-opted from and by the Court of Common Council.
25. Given the joint nature of this Sub-Committee, it is proposed that the Chairman and Deputy Chairman of the Sub-Committee be appointed from and by its Membership at its first meeting.

### **Financial Investment Board (FIB) (joint with Finance Committee)**

26. This is an existing Sub-Committee which used to sit under the (now abolished) Investment Committee. It will now report to both Policy & Resources Committee and Finance Committee. Following feedback at your last meeting, in consultation with Members, the composition has been revised. It is now recommended that there be **two places** filled by representatives of each Committee. Up to two Members (total) are to be co-opted from and by the Court of Common Council.
27. It is responsible for overseeing all aspects of the non-property investment arrangements of the City of London's major funds and monitors the Chamberlain's Treasury Management operations.

28. Reference to its work on the Pension Fund has been deleted, as this will be undertaken by the new Pensions Committee.
29. Reference to the management of funds for the William Coxen Trust has been added. This is to reflect a decision taken whereby FIB, on behalf of the Investment Committee, oversaw the investments of the Sir William Coxen Trust, reporting back and providing advice to the respective (Aldermanic) Committee, which would then take any necessary decisions.
30. It has been suggested that it be formally tasked with informing the decision taken by the Resource Allocation Sub-Committee on the appropriate investment proportions between property and non-property assets.
31. Given the joint nature of this Sub-Committee, it is proposed that the Chairman and Deputy Chairman of the Sub-Committee be appointed from and by its Membership at its first meeting.

#### **Property Investment Board (PIB) (joint with Finance Committee)**

32. This is an existing Sub-Committee which used to sit under the (now abolished) Investment Committee. It will now report to both Policy & Resources Committee and Finance Committee. Following feedback at your last meeting, in consultation with Members, the composition has been revised. It is now recommended that there be **two places** filled by representatives of each Committee. Up to two Members (total) are to be co-opted from and by the Court of Common Council.
33. It is responsible for determining and approving management and investment matters relating to the property within the City's Cash and City Fund in accordance with the management plans and investment strategies. The Board is also responsible for acquisition, management and disposal of all City property within its remit. Rental activity at Leadenhall Market is also overseen by the Board.
34. It has been suggested that it be formally tasked with informing the decision taken by the Resource Allocation Sub-Committee on the appropriate investment proportions between property and non-property assets.
35. Given the joint nature of this Sub-Committee, it is proposed that the Chairman and Deputy Chairman of the Sub-Committee be appointed from and by its Membership at its first meeting.

#### **Equality, Diversity and Inclusion (EDI) (joint with Corporate Services Committee)**

36. This takes on the existing responsibilities overseen by the Member Diversity Working Party, Tackling Racism Taskforce and Statues Working Party. It will provide:
  - **Members' Diversity**  
Exploration for ways in which to enhance the diversity of the Court of Common Council, including the Court of Aldermen.
  - **Tackling Racism Taskforce**  
Consideration of what the City of London Corporation currently does to tackle racism in all its forms and to assess whether any further action could be

undertaken to promote economic, educational, and social inclusion through our activities, including any historical issues with a view as to how we might respond to them. It is suggested that the remit of the EDI Sub-Committee include tackling all forms of prejudice, including racism.

Members are invited to consider whether the remit of the Sub-Committee should be broadened to include consideration of what the City of London Corporation currently does to tackle all forms of prejudice.

37. There are **two places** to be appointed directly from the Policy & Resources Committee and two places to be appointed by the Corporate Services Committee. Two Members are to be appointed from and by the Court of Common Council.
38. Given the joint nature of this Sub-Committee, it is proposed that the Chairman and Deputy Chairman of the Sub-Committee be appointed from and by its Membership at its first meeting.

### **Competitiveness Advisory Board (CAB)**

39. This working party was established in March 2021 and focuses on questions of competitiveness. In particular, it offers guidance to officers in their delivery of the Corporation's competitiveness strategy and provides expertise and insight to Policy & Resources on the ingredients of global success of UK Financial and Professional Services.
40. There are **no places** to be appointed directly from the membership of the Policy & Resources Committee. Four Members of the Court of Common Council were appointed following an interview process in 2021 (Alderman & Sheriff Lyons, Alderwoman Langley, Deputy Shravan Joshi, Dominic Christian). Members are invited to consider whether to retain or revisit these appointments for the year ensuing.
41. The Chair of the Policy & Resources Committee will act as Chairman and the Chair of the General Purposes Committee of Aldermen will act as Deputy Chairman.

### **Appointments to other Committees and Sub-Committees**

42. The Policy & Resources Committee is required to appoint representatives to serve on the following Committees, Sub-Committees and Boards:-
  - **Audit and Risk Management Committee** (one representative)
  - **Barbican Centre Board** (one representative)
  - **Education Board** (one representative)
  - **Local Development Framework Reference Sub (Planning) Committee** (one representative)
  - **Mayoralty and Shrievalty Allowances** (one representative, for the purposes of consultation with the Court of Aldermen and representatives of the Finance Committee)
  - **Economic & Cyber Crime Committee of the Police Authority Board** (one representative)

43. It should be noted that, when filling the vacancies on the various committees and sub-committees referred to above, a ballot will be required where expressions of interest in serving on them exceed the number of vacancies.
44. As was the case in 2021/22, it is recommended that any such ballots be held following the meeting on 5 May with Members provided the weekend to cast their votes on all ballots simultaneously, using electronic voting methods. Appointments would then be made under delegated authority in accordance with the results of the ballot process.

## **Lead Members**

45. Following proposals within the Governance Review for 'Lead Members', the Committee is invited to note that proposals will be reported at the next meeting.

## **Appendices**

- A – Resource Allocation Sub Committee Terms of Reference
- B – Communications Sub Committee Terms of Reference
- C – Operational Property and Projects Sub Committee Terms of Reference
- D – Civic Affairs Sub Committee Terms of Reference
- E – Equality, Diversity & Inclusion Sub Committee Terms of Reference
- F – Capital Buildings Board Terms of Reference
- G – Financial Investment Board Terms of Reference
- H – Property Investment Board Terms of Reference
- I – Competitiveness Advisory Board Terms of Reference
- J – Freedom Applications Sub-Committee Terms of Reference
- K – 2021/22 Sub-Committee Membership and Representatives on other Committees

### **Contact:**

Polly Dunn

Email: [polly.dunn@cityoflondon.gov.uk](mailto:polly.dunn@cityoflondon.gov.uk)

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(A) **Resource Allocation Sub-Committee**

**Composition (*the Constitution has been agreed by the Court of Common Council*)**

Chairman of the Policy and Resources Committee (Chairman)

Chairman of the Finance Committee (Deputy Chairman)

The Deputy Chairmen of the Policy and Resources Committee

The Deputy Chairman of the Finance Committee

Chairman of the General Purposes Committee of the Court of Aldermen

The Senior Alderman below the Chair

The Chairman of the Establishment Committee

Past Chairmen of Policy and Resources Committee providing that they are Members of the Committee at the time.

Six Members of the Policy and Resources Committee

**Terms of Reference**

- to recommend to the Grand Committee an appropriate allocation of financial resources in respect of the City Corporation's capital and revenue expenditure;
- to meet with Chairmen of Service Committees to advise on the status of the City Corporation's budgets and the recommended allocation of financial resources overall and discuss any emerging issues;
- following advice from the Operational Property and Projects ~~Corporate Asset~~ Sub-Committee, to have power to determine the City Corporation's programme for repairs, maintenance and cyclical replacement of plant & equipment in respect of all operational and noninvestment properties, including the prioritisation of the various schemes and projects;
- to determine the appropriate investment proportions between property and non-property assets;
- to recommend to the Grand Committee the extent of properties held by the City of London Corporation for strategic purposes, including within the City of London itself;
- to recommend to the Grand Committee the allocation of operational property resources for service delivery (following Operational Property and Projects ~~Corporate Asset~~ Sub-Committee's consideration of effective use);
- to be the reporting and oversight body for the review of Operational Property;
- to set the annual quantum for each City's Cash and City Fund grants programme (including for City's Cash funded open spaces grants);
- to consider the annual performance reports for all grants programmes from the Finance Committee;
- to consider funding bids in respect of the Community Infrastructure Levy Neighbourhood Fund of over £50,000; and
- to consider and make recommendations in respect of matters referred to it by the Grand Committee including matters of policy and strategy.

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**Public Relations Communications Sub-Committee**

**Composition**

- Chairman and Deputy Chairman & Vice Chairmen of the Policy & Resources Committee
- Past Chairmen of the Policy & Resources Committee, still on the Committee
- Chairman of the Finance Committee
- Chair of the General Purposes Committee of Aldermen, or their nominee
- Senior Alderman Below the Aldermanic Chair
- Five Members of the Policy & Resources Committee, elected by the Committee
- Four Members of the Court of Common Council, co-opted by the Sub-Committee
- Up to two non-City of London Corporation members, who shall not have voting rights.

The Chairman to be the Chairman of Policy & Resources, or their nominee.

**Terms of Reference**

To consider and report to the Grand Committee on all matters relating to the City Corporation's Public Relations, Public Affairs and Communication activities, including any related plans, policies and strategies including oversight of proposals concerning the promotion of the City and governance of Sport Engagement (with power to act).

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## **Operational Property and Projects Sub-Committee**

### **Composition**

- the Chairman and a Deputy or Vice Chairman of the Policy and Resources Committee
- the Chairman and Deputy Chairman of the Finance Committee
- Four Members appointed by the Policy and Resources Committee
- Four Members appointed by the Finance Committee
- Up to two Members to be co-opted by the Sub-Committee from the Court of Common Council with relevant experience.

The Chairman and Deputy Chairman to be elected from amongst the Sub-Committee Membership

### **Terms of Reference**

To be responsible for:-

#### **Projects**

- a) Authorising individual projects on behalf of the Policy and Resources Committee at each stage of the City's agreed Project Approval Process;
- b) Making proposals to the Resource Allocation Sub-Committee/the Policy and Resources Committee for projects to be included in the capital/supplementary revenue programme;
- c) Overseeing the City Corporation's programme of projects, excluding those within the remit of the Cyclical Works Programme (although these may be called-in by the Projects Sub-Committee) to ensure their delivery within the parameters set by the Resource Allocation Sub-Committee.
- d) Overseeing the City Corporation's programme of projects, ~~excluding those within the remit of the Corporate Asset Sub-Committee~~, to ensure their delivery within the parameters set by the Resource Allocation Sub-Committee;
- e) Monitoring the procurement arrangements for capital and supplementary revenue projects and advising the Finance Committee of any issues; and
- f) Periodically reviewing the City Corporation's project management processes and procedures.

#### **Procurement**

- g) To scrutinise and be responsible for value for money on all City of London Corporation and City of London Police procurement contracts above thresholds stipulated within the City of London Corporation's Procurement Code (total contract value) at key stages, including initial tender strategy to final contract award sign off.
- h) To consider and recommend all procurement contracts above thresholds stipulated within the City of London Corporation's Procurement Code £4m to the Finance Committee
- i) To invite representative(s) from the relevant Spend Committee to attend meetings ensuring decisions are made corporately.

- j) To provide officers with advice focussed specifically on value for money, and consider lessons learned when major contracts are coming to an end (i.e. before the (re)tender process begins).
- k) To review and consider approvals of £4m50k+ waivers for the Chamberlain's department contracts.
- l) To work with the Grand Finance Committee to review and to monitor performance against the Chamberlain's Departmental Business Plan and related corporate initiatives in order to promote value for money and ensure compliance with the UK Public Contract Regulations and the Corporation's Procurement Code.

### Corporate Assets

- m) To be responsible for the effective and sustainable management of the City of London Corporation's operational property portfolio, to help deliver strategic priorities and service needs, including;
  - i. agreeing the Corporate Asset Management Strategy;
  - ii. responsibility for reviewing and providing strategic oversight of the Corporation's Asset Management practices and activities and advising Service Committees accordingly;
  - iii. responsibility for reviewing and providing strategic oversight of the Corporation's Facilities Management practices and activities and advising Service Committees accordingly;
  - iv. To maintain a comprehensive Property Database and Asset Register of information which can be used in the decision making process;
  - v. In line with Standing Orders 53 (Asset Management Plans) and 56 (Disposal of Surplus Properties) and the duties set out within legislation, including the Localism Act 2011 and the Housing and Planning Act 2016, to monitor the effective and efficient use of all operational property assets;
  - vi. Oversight of the management of operational leases with third parties, occupation by suppliers and those granted accommodation as benefits-in-kind; and
  - vii. In accordance with Standing Orders 57 and 58, the Sub Committee can make disposals of properties which are not suitable to be retained as investment property assets.
- n) In accordance with thresholds stipulated within Standing Orders 55, 56 and 57, the Sub-Committee can approve acquisitions and disposal of operational properties which are not suitable to be re-use or to be retained as investment property assets.
- o) The power to commission from Service Committees periodic management information on asset management performance including, where relevant:
  - i. third party agreements, income, rent arrears (including HRA)
  - ii. efficiency of operational assets including vacant space and utilisation in accordance with SO 55.
- p) To be responsible for the upkeep, maintenance and, where appropriate, furnishing for operational properties (including the Guildhall Complex) which do not fall within the remit of another Service Committee;

- q) To monitor major capital projects relating to operational assets to provide assurance about value for money, accordance with service needs and compliance with strategic plans;
- r) To recommend to the joint meeting of the Resource Allocation Sub-Committee and the Efficiency and Performance Sub-Committee the annual programme of repairs and maintenance works (including surveys, conservation management plans, hydrology assessments and heritage landscapes) planned to commence the following financial year, and to monitor progress in these works (when not included within the Project procedure);
- s) To be responsible for strategies, performance and monitoring initiatives in relation to energy;
- t) To monitor and advise on bids for Heritage Lottery funding; and
- u) To provide strategic oversight for security issues across the Corporation's operational property estate; with the objectives of managing security risk; encouraging consistent best practice across the Estate; and, in conjunction with the ~~Establishment~~ Corporate Services Committee, fostering a culture of Members and officers taking their responsibilities to keeping themselves and the buildings they occupy secure.

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**Civic Affairs Sub-Committee**

**Composition**

- Chairman and Deputy Chairman or a Vice Chairman of the Policy & Resources Committee
- Chief Commoner
- Immediate past Chief Commoner\*
- Chairman of the General Purposes Committee of the Court of Aldermen, or their nominee
- Chairman of the Finance Committee
- Senior Alderman Below the Chair
- Chairman of the Guildhall Club
- Four Members of Policy & Resources Committee elected by Policy & Resources Committee
- Together with Four Members of the Court of Common Council, to be elected by the Court.

*\*For part of the year and then the Chief Commoner Designate for the remainder of the year (elected in October each year)*

The Chairman to be Chairman of Policy & Resources or their nominee, Deputy Chairman to be the Chief Commoner.

**Terms of Reference**

To be responsible for:-

**Hospitality**

- To consider applications for hospitality which are referred to it by the Remembrancer and to make recommendations thereon to the Court of Common Council;
- To ~~keep the~~ review and approve arrangements for hospitality (including Committee allowances, annual functions, invitations and seating) ~~under review and to make recommendations thereon to the Grand Committee;~~
- ~~To consider applications for the use of Great Hall and make recommendations thereon to the Court of Common Council;~~
- To consider the list of ~~approved~~ eligible caterers ~~and make recommendations thereon to the Grand Committee;~~ and
- To consider and approve the level of charges for the event spaces within Guildhall ~~and make recommendations to the Grand Committee.~~

**Ceremonials**

- To review the totality of the City Corporation's ceremonial protocols and practices, with the intention of bringing them up to date to reflect current circumstances;
- To examine the principles behind each protocol, particularly where there have been changes in practice over recent years, making recommendations

as to the approach to take in future, with a view to an updated and consolidated Ceremonials Book being produced.

### Outside Bodies

- Overseeing the City Corporation's Outside Bodies Scheme, to include:-
  - developing the Corporation's policy towards outside body appointments;
  - keeping under review the effectiveness and appropriateness of the organisation's participation in individual bodies;
  - giving initial consideration to new requests from outside bodies for nominations;
  - advising the Court on the needs and requirements of the outside body in respect of any vacancy; and
  - periodically reviewing the City Corporation's Outside Bodies protocol.

### Member Privileges

- To consider and make recommendations to the Policy and Resources Committee on:-
  - Members' privileges, ~~other than those relating to City Hospitality which is dealt with by the Hospitality Working Party;~~ and
  - Members' facilities, excluding Guildhall Club as it falls within the locus of the House Committee of Guildhall Club.
- To agree, a programme of Member training and development, to ensure that all Members have access to opportunities

### Member Financial Assistance

- To ~~oversee~~ ~~undertake a review of~~ the Members' ~~Financial Loss Support Scheme (and Extended Support Scheme)~~ to ensure that it is fit for purpose and to ~~establish~~ review periodically whether any further assistance should be established to support Members with the delivery of their duties as elected Members of the City Corporation.

### Benefices

- To consider matters relating to the City's obligations for its various Benefices.

*\*The Patronage (Benefices) Measure 1986 and The Patronage (Benefices) Rules 1987, seek to confine the exercise of Church of England Patronage; i.e. the right to present Clergy, to a responsible person who is an actual Communicant Member of the Church of England or of a church in communion with it. On receiving notice of a vacancy, the City of London Corporation, as patron, is required to appoint an individual who is 'willing and able to make the Declaration of Membership and act as its representative to discharge its functions as registered patron'. In practice, the Chairman of the Sub-Committee, being a person able and willing to make the declaration, is usually appointed as the City of London Corporation's representative and this practice has worked well.*



**Equality, Diversity & Inclusion Sub-Committee**

**Composition**

- The Chairman of the Policy and Resources Committee or their nominee;
- The Chairman of the Corporate Services Committee or their nominee;
- The Chairman of the General Purposes Committee of the Court of Aldermen, or their nominee
- The Chairman of Community and Children's Services Committee, or their nominee
- The Chief Commoner
- The Immediate past Chief Commoner\*
- Two Members of the Policy & Resources Committee
- Two Members of the Corporate Services Committee
- Two Court of Common Council Members appointed by the Court
- Together with co-option by the Sub-Committee of up to two external people (with no voting rights).

*\*For part of the year and then the Chief Commoner Designate for the remainder of the year (elected in October each year)*

The Chairman and Deputy Chairman to be elected from the membership of the Sub-Committee.

**Terms of Reference**

To have responsibility for:-

- Considering and making recommendations to help promote the merits of standing for office as an Alderman or Common Councilman, to enhance the diversity of the Court of Common Council to represent better its constituency.
- Considering what the City of London Corporation currently does to tackle ~~racism~~ prejudice in all its forms and to assess whether any further action could be undertaken to promote economic, educational, and social inclusion through our activities, including any historical issues with a view as to how we might respond to them; and
- Considering any remaining proposals relating to the Guildhall statues of William Beckford and Sir John Cass, for recommendation to the Court.
- ~~To report its findings to both Policy & Resources Committee and the Establishment Committee.~~

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## Capital Buildings Board Committee

### Composition

- The Chairman and Deputy or a Vice Chairman of the Policy & Resources Committee
- The Chairman and Deputy Chairman of the Finance Committee
- ~~Two~~ Three Members appointed by the Policy & Resources Committee
- Five 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 Chairmen and Deputy Chairmen of those service committees which will become responsible for completed capital building projects, or their nominees (ex-officio)\*
- The Chairman of the General Purposes Committee of Aldermen, or their nominee.

*\* Such Chairmen and Deputy Chairmen (or their nominees) to become ex-officio Members of the Committee upon the Court of Common Council giving its approval in principle for the project to proceed, with their membership to cease upon the new building being handed over to their Committee.*

- Together with up to two non-City of London Corporation Members and a further two Court of Common Council Members with appropriate experience, skills or knowledge to be appointed by the Board.

The Chairman to be Chairman of Policy & Resources or their nominee.

### Terms of Reference

In respect of major capital building projects<sup>†</sup> which have been approved in principle by the Court of Common Council and are being directly delivered by the City of London Corporation, to be responsible for (without recourse to any other Committee):-

- (a) overall direction and co-ordination;
- (b) financial control and variances within the overall approved budget for the project;
- (c) review of progress;
- (d) decisions on significant option development and key policy choices; and
- (e) decisions in relation to the acquisition and disposal of properties related to the project, including disposal or alternative use of current operational properties to be vacated on completion of the project. Such properties, upon the approval of the capital building project, shall sit outside of the normal Standing Orders (53-60) governing acquisitions and disposals.<sup>‡</sup>

In respect of Major Capital Building projects and/or programmes which have been approved in principle by the Court of Common Council and where the City of London Corporation is a major funder:-

(f) Monitoring of progress against agreed milestones; and

(g) The release of the City of London Corporation's funding.

*<sup>†</sup> Defined as projects for new or substantially refurbished buildings or associated preparatory works and enabling projects with an estimated budget of £100 million or more, or which have been otherwise referred to the Committee.*

*<sup>‡</sup> Such transactions shall therefore not require the additional approvals of the Property Investment Board, Operational Property and Projects Sub-Committee ~~Corporate Asset~~ Sub-Committee, Finance Committee, and Court of Common Council. However, the Policy & Resources Committee shall reserve the right to retain ultimate decision-making powers in respect of properties where the disposal is considered to have significant strategic or policy implications.*

**Notes:**

- (i) ~~Membership of this Committee shall not count towards the limit on the number of committees on which a Member may serve contained in Standing Order 22 and its Chairman shall be eligible to be Chairman of another Committee (Ward or non-Ward) at the same time, pursuant to the provisions of Standing Order 29 (3).~~*
- (ii) ~~The Chairman and Deputy/Vice Chairmen of the Policy & Resources and Finance Committees shall have the power to vote in the election of Chairman and Deputy Chairman.~~*
- (iii) ~~Whilst the Committee Board will need to have dealings with external parties relevant to the buildings concerned in projects for which the Committee Board is responsible, ownership and custody of these relationships shall rest with the relevant service committee and the Capital Buildings ~~Committee~~ Board shall act in accordance with this.~~*

## **Financial Investment Board**

### **Composition**

- the Chairman or a Deputy or Vice Chairman of the Policy and Resources Committee, or their nominee (from the Membership of that Committee)
- the Chairman or Deputy Chairman of the Finance Committee or their nominee (from the Membership of that Committee)
- Two Members appointed by the Policy and Resources Committee
- Two Members appointed by the Finance Committee
- Up to four co-opted External Members with relevant experience – appointed by the Board
- Up to Two Members to be co-opted from the Court by the Board with relevant experience

The Chairman and Deputy Chairman to be elected from amongst its Membership

### **Terms of Reference**

- a) to approve the appointment of and to monitor the performance of investment managers of the following funds:
- i. City's Cash
  - ii. ~~Pension Fund~~
  - ii. Charities Pool
  - iii. Hampstead Heath Trust
  - iv. The William Coxen Trust\*

Together with such other funds as are under the City of London Corporation's control;

- b) to review the investment strategy for the securities investments of the ~~Pension Fund~~, City's Cash, Hampstead Heath Trust Fund, William Coxen Trust\* and the Charities Pool;
- c) to authorise investments and approve the overall parameters within which the investment fund managers will be authorised to operate;
- d) to invest all new monies in respect of ~~the Pension Fund~~ and the Charities Pool;
- e) to invest such other sums as are from time to time allocated for this purpose; ~~and~~
- f) to monitor the activities of the Chamberlain in connection with his role as banker to the City of London Corporation; and
- g) to inform the decision taken by the Resource Allocation Sub-Committee on the appropriate investment proportions between property and non-property assets.

\* to oversee the investments of the Sir William Coxen Trust, reporting back and providing advice to the Committee of Aldermen to Administer the Sir William Coxen Trust Fund, which would then take any necessary decisions.

*Provision to enable the Chairman of the Property Investment Board to report on and speak to the Board's activities and responsibilities in the Court of Common Council and to ensure that any decisions, especially those relating to property, are taken without undue delay.*

## **Property Investment Board**

### **Composition**

- the Chairman or a Deputy or Vice Chairman of the Policy and Resources Committee, or their nominee (from the Membership of that Committee)
- the Chairman or Deputy Chairman of the Finance Committee or their nominee (from the Membership of that Committee)
- Two Members appointed by the Policy and Resources Committee
- Two Members appointed by the Finance Committee
- Up to four co-opted External Members with relevant experience – appointed by the Board
- Up to Two Members to be co-opted from the Court by the Board with relevant experience (one appointment each)

The Chairman and Deputy Chairman to be elected from amongst its Membership

### **Terms of Reference**

To determine and approve management and investment matters relating to property within the City's Cash and City Fund in accordance with the management plans and investment strategies;

- a) to acquire, manage or dispose of all City property within its remit;
- b) to determine specific property ownerships in accordance with policies established by the Policy and Resources Committee and the Court of Common Council in relation to the extent of properties to be held by the City of London Corporation for strategic purposes, including within the City itself;
- c) in relation to Leadenhall Market, to lease any shop or shops at less than the full market rent in order to obtain the stated objectives of securing a first class, balanced and varied market; ~~and~~
- d) to report during the year to the ~~Investment Committee~~ Court of Common Council in relation to its activities and the overall performance of the investment property portfolios; ~~and~~
- e) to inform the decision taken by the Resource Allocation Sub-Committee on the appropriate investment proportions between property and non-property assets.

*Provision to enable the Chairman of the Property Investment Board to report on and speak to the Board's activities and responsibilities in the Court of Common Council and to ensure that any decisions, especially those relating to property, are taken without undue delay.*

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## **Competitiveness Advisory Board**

### **Composition**

- Chair of the Policy & Resources Committee (Chairman)
- Chair of the General Purposes Committee of Aldermen (Deputy Chairman)
- Deputy Chairman of the Policy & Resources Committee
- Deputy Chairman of the General Purposes Committee of Aldermen
- Four Members of the Court of Common Council with relevant expertise to be appointed by Policy and Resources Committee
- The ability to co-opt up to four external members flexibly and an ad-hoc basis, in agreement with the Policy & Resources Committee.

### **Terms of Reference**

To be responsible for:-

- (a) Providing expertise and insight to officers and Policy & Resources acting as an internal forum for the testing of ideas and prioritisation for the strategy
- (b) Providing informal guidance on the implementation of the strategy
- (c) Offering additional support to the Lord Mayor and Chair of Policy and Resources as Ambassadors on the Innovation and Growth agenda.
- (d) Providing advice on the strategic deployment of hospitality as required

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## Freedom Applications Sub-Committee

### Composition

- the Chairman and the Deputy or Vice Chairman of the Policy & Resources Committee (or a nominee of each Member)
- two Aldermen nominated by the Court of Aldermen
- one Member of the Policy and Resources Committee, appointed by that Committee
- two 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 Chief Commoner
  - The immediate past Chief Commoner until the election by Common Council of his or her successor
  - The Chief Commoner designate once elected by Common Council
  - ~~the Chairman and a Deputy Chairman of the Policy & Resources Committee (or, in their absence, a nominated representative of each Member)~~

The Chairman to be Chairman of Policy & Resources or their nominee.

### Terms of Reference

- a) To examine and report back on any applications for the Freedom referred to the Committee by the Court of Common Council.
- b) To consider informally any non-livery nominations that may be referred to it, prior to their submission to the Court of Common Council.
- c) To examine, consider, and report back on issues concerning the rules and principles relating to, and criteria for, the Freedom;
- d) To consider matters relating to the general use of the Freedom, such as for City of London Corporation policy objectives;
- e) To consider, and to provide guidance to Members of the Court of Common Council, and Livery Companies, on, the criteria for and processes relating to the award of the Freedom; and
- f) To consider matters relating to the Honorary Freedom.

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**Membership on Sub-Committees 2021/22**

- i) **Resource Allocation Sub-Committee**  
**In 2021/22, the Committee appointed the following six Members:**  
Tijs Broeke  
Karina Dostalova  
Anne Fairweather  
Deputy Shravan Joshi  
Deputy Edward Lord  
Deputy James Thomson
- ii) **Public Relations Sub-Committee (now Communication Sub-Committee):**  
Tijs Broeke  
Anne Fairweather  
Alderman Timothy Hailes  
Deputy Edward Lord  
Vacancy

**Membership of new Sub-Committees that were formerly Grand Committees or Sub-Committees of another Board 2021/22.**

- i) **Capital Buildings Committee**  
Sir Michael Snyder (Chairman)  
Deputy Edward Lord (Deputy Chair)  
Peter Bennett  
Deputy Keith Bottomley  
Alderman & Sheriff Alison Gowman  
Deputy Christopher Hayward  
Alderman Timothy Hailes (Ex-Officio Member)  
Alderman Ian Luder  
Deputy Catherine McGuinness (Ex-Officio Member)  
Deputy Tom Sleigh (Ex-Officio Member)  
Deputy James Thomson (Ex-Officio Member)  
Jeremy Mayhew OBE (Ex-Officio Member)  
Deputy Jamie Ingham Clark (Ex-Officio Member)  
Alderman Sir David Wootton (Ex-Officio Member)  
David Brooks Wilson  
Oliver Sells QC (Co-Opted)
- ii) **Freedom Applications Committee**  
Jeremy Mayhew (Chairman)  
Sir David Wootton (Alderman) (Deputy Chairman)  
Tijs Broeke  
Dominic Christian  
Deputy Simon Duckworth (Ex-Officio Member)  
Deputy Christopher Hayward (Ex-Officio Member)  
Catherine McGuinness (Ex-Officio Member)  
Deputy Brian Mooney (Ex-Officio Member)  
Alderman Sir William Russell (Alderman)

- iii) **Property Investment Board**  
Deputy Andrien Meyers (Chair)  
Deputy Shravan Joshi (Deputy Chairman)  
Tom Sleigh  
Alderman & Sheriff Alison Gowman  
Deputy Christopher Hayward  
Michael Hudson  
Deputy Philip Woodhouse  
Deputy Simon Duckworth  
Deputy Robert Merrett  
Deputy Alastair Moss (Co-opted Member)  
Deputy Edward Lord (Co-opted Member)  
Claudine Blamey (Co-opted Member)
- iv) **Financial Investment Board**  
Nicholas Bensted-Smith (Chairman)  
Deputy Henry Colthurst (Deputy Chairman)  
Anne Fairweather  
Alderman Prem Goyal  
Alderman Robert Howard  
Alderman Robert Hughes-Penney  
Deputy Clare James  
Tim Levene  
Deputy Robert Merrett  
Deputy Andrien Meyers  
John Petrie  
Deputy Henry Pollard  
James de Sausmarez  
Ian Seaton  
Deputy Philip Woodhouse

### **Representations on Other City Corporation Committees**

The appointment of one Member on the following:-

- i) **Audit and Risk Management** – the terms of reference of this Committee can be found in the Appointment of Members on Committees report to the Court, or is available on request. Marianne Fredericks represented the Policy & Resources Committee in 2021/22.
- ii) **Barbican Centre Board** – the terms of reference of this Committee can be found in the Appointment of Members on Committees report to the Court, or is available on request. Anne Fairweather represented the Committee on the Board in 2021/22.
- iii) **Education Board** – the terms of reference of the Board can be found in the Appointment of Members on Committee report to the Court, or is available on request. This position was left vacant in 2021/22.

- iv) **Economic & Cyber Crime Committee** - the terms of reference of the (Sub) Committee can be found in the Appointment of Sub-Committees report considered by the City of London Police Authority Board on 25 April 2022, or is available on request. Deputy Edward Lord represented the Committee in 2021/22.
- v) **Local Development Framework Reference Sub (Planning) Committee** - This Sub-Committee is responsible for giving detailed consideration to two of the City Corporation's strategic documents, the Local Development Framework and Local Implementation Plan. Deputy Chris Hayward represented the Committee on the Sub-Committee in 2021/22.

**Representatives for Consultation with the Court of Aldermen and Representatives of the Finance Committee on Mayoralty and Shrievalty Allowances**

This is a joint deputation of representatives comprising Aldermen, the Policy & Resources Committee and the Finance Committee. The deputation is responsible for giving detailed consideration to the allowances for expenses for the offices of the Lord Mayor and the Sheriffs for the coming year.

Together with the Chair of the Policy & Resources Committee and the Chief Commoner, there is one further representative from this Committee appointed - in 2021/22, Deputy Edward Lord was appointed to serve.

**NB: A ballot will be required where expressions of interest in serving exceed the number of vacancies on Sub-Committees and Working Parties or representing the Committee on another service committees and Boards.**

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<b>Committee</b>	<b>Date</b>
Policy and Resources Committee	5 <sup>th</sup> May 2022
<b>Subject:</b> Year 1 Quarter 4 Update on Climate Action	<b>Public</b>
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	1,5,7,10,11,12
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>No</b>
<b>If so, how much?</b>	<b>N/A</b>
<b>What is the source of Funding?</b>	<i>Original budget envelope for CAS approved by Court upon adoption. Y1 portion approved under CAS by Policy and Resources on 8 April 2021 &amp; by BHE Board on 14<sup>th</sup> July 2021.</i>
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>Yes</b>
<b>Report of:</b> Damian Nussbaum, Executive Director Innovation and Growth and Senior Responsible Officer, Climate Action	<b>Decision</b>
<b>Report authors:</b> Simi Shah, Project Director, Climate Action Grace Rawnsley, Programme Director, Climate Action Stuart Wright, Climate Action Programme Manager Karin Ballasch, Climate Action Stakeholder Engagement Lead	

## Summary

In October 2020, the Court of Common Council approved an ambitious Climate Action Strategy, a transformative programme for the organisation to reach net-zero carbon emissions, build resilience and champion sustainable growth. This paper reports the results of the planned quarter 4 review of the inaugural year. It includes a description of progress made as well as potential risks for the programme. It also summarises the plans for the upcoming year and requests confirmation on the funds needed for implementation.

## Recommendation

The Policy & Resources Committee is recommended to:

- i. Note the progress, risks and issues arising between January to March 2022 of year 1 of implementing the Climate Action strategy.
- ii. Note the overall achievement of the targets remains on track with no additional resources required beyond the original budget envelope.

- iii. Approve the draw of funds of up to £17.94m for implementation of the strategy in 22-23 financial year as set out in Table 2 from that original envelope. This represents portions for City Fund (£13.26m) and City's Cash (£4.14m).

## **Main Report**

### **Background**

1. In November 2019 the City of London Corporation set out on a fast-paced, cross-corporation journey to develop an ambitious Climate Action Strategy (CAS). The strategy was adopted at Court of Common Council on the 8<sup>th</sup> October 2020.
2. The CAS marked the start of a new and transformative programme of action. It sets out three interlinked primary objectives for the City Corporation and the Square Mile:
  - to support the achievement of net-zero emissions,
  - to build resilience, and
  - to champion sustainable growth.
3. The Court approved an original funding envelope of £68m to deliver the strategy up to 2027. Each year's budget was to be subject to confirmation. It was agreed upon adoption that each relevant Service Committee and Policy and Resources receive a quarterly update on progress and relevant expenditure.
4. The Year 1 (Y1) programme of work and associated budget was approved by this committee on 8<sup>th</sup> April 2021 for the City Fund and City's Cash. Expenditure related to BHE was approved by the BHE Board on 14<sup>th</sup> July 2021. Across the funds, a total Y1 budget for both projects and revenue of £10.53m was approved as the first allocation required under the original budget envelope.
5. The annual programme of work is based on detailed plans for 13 workstreams across 6 different departments; each of which reports into a relevant Service Committee. These detailed plans are approved by Project Boards at the operational level and relevant Service Committees at the Member level. These are reported into Policy and Resources as a summary programme as shown in Appendix 2. Policy and Resources also approves annual budget draws against the original envelope for City's Cash and City Fund. BHE funds are approved by the BHE Board.
6. For the initial years, City's Cash and City Fund draws are from central reserves. In later years the annual budgets will be part funded by savings to the energy bill. A revolving mechanism to capture financial savings from the corporate energy bill has been developed. It will capture the savings from the capital interventions under CAS when they come online from 2022-23. A profile of savings will be regularly reported to this Resource Allocation Sub-Committee (RASC) and the Corporate Asset Sub Committee (CASC).

7. In July 2021, this committee approved delegated authority powers in relation to project delivery for the Senior Responsible Officer of CAS. This authority continues to bring desired momentum to mobilising the programme in its inaugural year.

### **Current Position**

8. We are on target to achieve our overall ambitions of being:
  - Net Zero in our own operations by 2027
  - Net Zero in our value chain by 2040
  - Net Zero in the Square Mile by 2040
  - Climate resilient in our buildings, public spaces and infrastructure
9. We are also on target to achieve the interim targets adopted by this Committee against those goals across the life span of the 2027 and 2040 net zero dates.
10. The current Senior Responsible Officer (SRO) is Damian Nussbaum, who was appointed at the start of 2022 on an interim basis by the Town Clerk pending the appointment of a permanent Deputy Town Clerk. Damian Nussbaum had previously been responsible for establishing a team and leading it to set up and launch the Strategy (November 2019 to September 2021).

### **Progress against targets**

11. In order to measure and report progress against our targets transparently, a Climate Action Dashboard is in final stages of development and will be live internally later this quarter. The dashboard will allow tracking to take place across an initial 25 management KPIs as well as the main reporting KPI of our footprint as expressed in tonnes of CO<sub>2</sub>e (Carbon Dioxide Equivalent). Our teams have identified and are evaluating an additional 25 management KPIs to augment this set to further improve ours and our stakeholder's ability to evaluate overall progress to CAS targets and commitments. From July 2022, this dashboard will be used as the basis for progress reporting to Committees. The dashboard will be available publicly from September 2022. It is due for its public release alongside the annual report the same month.
12. The key reporting KPI of tonnes of CO<sub>2</sub>e in the overall carbon footprint is scheduled to be next reassessed in April 2022. Until then the baseline taken in 2018-19 is used.

## Progress against delivery plans

13. The following chart summarises the delivery status of the 13 workstreams delivering Climate Action against the original Y1 plans:

Workstream	Status (Q3)	Status (Q4)
Strategic Implementation Support	Amber	Amber
Buildings - Corporate Properties and Housing	Amber	Amber
Buildings - Investment Properties	Amber	Amber
Buildings - Capital Projects (Standards) + Resilience	Red	Red
Purchased Goods and Services	Amber	Amber
Square Mile	Red	Amber
Cool Streets and Greening	Green	Green
Mainstreaming Resilience	Green	Green
Heart of the City and SME Engagement	Green	Green
Financial Investments	Green	Green
Carbon Removals and Land Management	Amber	Amber
Transport	Green	Amber

14. Green rated workstreams are all on track in terms of actions originally planned for Y1.
15. Those marked amber are those where there are one or more actions which will happen later in the programme than anticipated.
16. Those marked red have actions that were meant to be initiated in Y1 and have not yet started.
17. While some delay is inevitable in the inaugural year of a new programme, these movements are being closely monitored between Member and officer governance. Workstreams that are marked as Amber or Red receive heightened monitoring at the operational level. Service areas are being supported to increase momentum with special emphasis on actions relating to 2027 targets.
18. At the present position, none of the delays are anticipated to compromise the 2027 or 2040 targets.
19. There are number of items that were noted as delayed in the previous quarterly reports. Updates to these items are as follows:
- Resourcing delays: during the writing of the Q3 report recruitment was still underway for the workstreams focused on:
  - Purchased Goods and Services,
  - Buildings, and
  - Carbon Removals workstreams.
- Recruitment has now been completed for all except the Carbon Removals Workstreams where project consultancy is now being explored.

- The previous quarter's report also noted that the study to quantify additional carbon removal capacity in our Open Spaces was delayed. These findings will now be available in June 2022.

20. The programme also is experiencing a number of delays in the production of analytical work needed to underpin the success of the strategy. These are summarised in the table below. Additional Member and operational oversight will be needed to accelerate action along the new schedules.

Project	Workstream	Original Start Date	Delayed Start date	Original Completion Date	Delayed Completion Date
Corporate Properties and Housing	Building Energy Surveys in Top 15 Sites	07/2021	04/2022	03/2022	06/2022
Corporate Properties and Housing	Design of a Deep Fabric Retrofit Pilot	07/2021	04/2022	03/2022	12/2022
Buildings – Investment Properties	IPG Surveys: MEES risk and boundary assessment level	09/2021	04/2022	03/2022	09/2022
Buildings – Investment Properties	Energy metering strategy	09/2021	04/2022	03/2022	09/2022
Square Mile	Scoping and Launch of a Climate Action Fund	06/2021	06/2021	06/2022	12/2022
Square Mile	Scoping Local Energy Plan	06/2021	06/2021	03/2022	08/2022
Square Mile	Draft Planning Advice Note	09/2021	03/2022	12/2021	06/2022
Square Mile	Supplementary Planning Guidance	06/2021	06/2021	09/2021	01/2023
Open Spaces	Amalgamated Carbon sequestration study	11/2021	11/2021	02/2022	06/2022
Buildings – Capital Projects (Standards) and Resilience	New technology and design standards for new and refurbished developments	12/2021	03/2022	06/2022	09/2022

## Change Control

21. No changes in timing, scope, or budget are required for Member decision at this time.

## Achievements

22. While this quarter has been balanced towards mobilisation activities, the programme has made swift progress in readiness for an action filled second year. A set of highlights follow below.

23. Advancing interventions in the corporate housing and investment properties continues to be the biggest focus. Ability to accelerate actions under these workstreams remain our biggest risk and biggest opportunity.
- 13 of the top 15 emitting buildings across our corporate and housing estates have been surveyed to inform the operational and capital interventions across our corporate buildings. The remainder will be completed by June 2022 to be drawn up into delivery plans for 22-23 and beyond.
  - 62 of 143 investment properties have also been surveyed. The remainder will be completed by September 2022 to inform asset plans for each Fund.
  - It will be essential to secure co-investment into our housing stock. A bid for £800k from the Social Housing Decarbonisation Fund (SHDF) at William Blake and Southwark Estates has been secured. This will provide new lighting, increased insulation, additional glazing and heating controls for 66 properties currently rated EPC D or below. Work is underway to apply for the second wave of SHDF funding.
24. We continue to work with a diverse set of stakeholders to learn, influence and act. A sample of engagements this quarter include:
- A combined approach to Net Zero is being developed with Surrey Council Cambridge Council and Brighton Council.
  - The first induction session for COLC new Members was an introduction to the Climate Action Strategy and its implementation programme.
  - 69 SMEs have been engaged by our delivery partner Heart of the City (HOTC) through workshops and surgeries, such as the “Climate for SMEs: 4 steps to action” at the Financial Services Group of Livery Companies.
  - Catherine McGuiness, Chair of P&R Committee met with the City Deanery Churches Synod to share City Corporation work on climate action and green finance and identify areas of future work on climate agenda with City Churches.
  - Relevant planning application guidance to work towards net zero and climate resilient buildings has been tested and refined through pre-application processes for major development in collaboration with developers and other stakeholders throughout 2021. This will form the basis of and contribute to evidence required for developing the Square Mile’s Supplementary Planning Guidance.
25. We are investing in the public realm and Open Spaces. And are working with others to protect and prepare them for the future.
- A feasibility study to consolidate freight in the Square Mile is now in consultation with stakeholders including neighbouring boroughs.
  - Planning permission has been submitted for adding new ponds at Patmore’s Field in Epping Forest. A video of new flower meadow on the same site is available on YouTube.

- The City Corporation's Riverside Strategy was presented at the Thames Tidal Council and the Port of London Authority Environment Conference.
- New Riverside Planting has been designed and will be in place for the upcoming Jubilee.
- Phase 1 statutory consultation on experimental traffic orders for the Pedestrian Priority programme have commenced and will run until July 2022.
- Work has begun this quarter to scope a Climate Action Fund, a Local Energy Plan and a potential expansion to Power Purchase Agreement (PPA) arrangements.

26. Engaging with stakeholders continues to be at the heart of the programme as many of the above examples illustrate. In May 2022 the CAS Stakeholder Annual Survey will be launched. The survey, targets CoLC staff, members and Square Mile's residents, workers, students, visitors, businesses, and others. The purpose is to assess knowledge and understanding of how climate change is being addressed by the Corporation and within the Square Mile.

## Financial Update

27. The table below summarises the financial position of the revenue and capital elements of the programme at the end of Y1. The differences between the budget envelope requested and amount drawn are due to several reasons. For revenue these are: 1) operational efficiencies 2) unrealised or delayed actions during mobilisation which will now take place in Year 2 and 3) genuine learning on what's needed or impactful during the inaugural year. For capital, this is largely due to using Public Sector Decarbonisation Scheme (PSDS) to pick up the existing pipeline of projects. The use of public funds means corporate funds can be used to go faster on our targets. But the survey schedule to identify the next round of interventions has pushed the corporate spend into the next financial year.

Table 1								
YEAR 1	Original Budget (£k)				Actual Spent (£k)			
Fund	BHE	CC	CF	Total	BHE	CC	CF	Total
Capital	239	1140	4047	5425	-	2	201	202
Revenue	262	1105	2079	3437	110	407	1152	1670
Supplemental Revenue	153	586	932	1670	-	83	175	259
Grand Total	643	2831	7058	10532	110	493	1528	2131

28. The table below summarises the proposed maximum level of draw against the original budget envelope during 22-23. The totals are set at an ambitious position which is reflective of three things:

- A planned pivot from mobilisation activities in Y1 to capital interventions in Y2
- The planned capital spend for buildings displaced by the PSDS in Y1 can be deployed to go faster and farther in Y2 as the programme is intervention is revealed through buildings survey work.
- This is the view of an accelerated programme fuelled by a desire to get ahead of energy prices and our interim targets. Delivery teams will be supported to meet this goal, but it should be viewed as a best-case scenario. It will be subject to external factors and market forces such as availability of contractors and materials.

29. The total draw also assumes no external grant funding is secured and this is the maximum the programme would need to draw from the original envelope during 22-23. If the programme is fortunate to draw funding from public schemes, these will be deployed before drawing corporate funds.

30. The sharp rise in the Y2 budget reflects a planned pivot from mobilisation activities in Y1 to capital interventions in Y2. Confidence in the potential to increase activity comes from the 1) CAS delivery teams being at or near full strength 2) nearing the end of the analytic stage of mobilisation and 3) a more realistic view of roll out following the inaugural year of the strategy.

<b>Table 2</b>				
<b>YEAR 2</b>	<b>Proposed Budget (£k)</b>			
<b>Fund</b>	<b>BHE</b>	<b>CC</b>	<b>CF</b>	<b>Total</b>
<b>Capital</b>	99	1658	9327	11084
<b>Revenue</b>	442	2480	3929	6851
<b>Grand Total</b>	541	4138	13256	<b>17935</b>

## **Risk**

31. The Corporate Climate Action Risk Register describes our organisational response to climate change and focuses on areas within our control and their mitigations. These risks were last reviewed by the Executive Leadership Board on 15<sup>th</sup> December 2021. The Audit and Risk Committee last met 18<sup>th</sup> January 2022 and no issues on CAS were raised.

32. A programme level risk log is also kept. All risk marked high this quarter and last are represented in Appendix 1. A summary of the most pressing delivery risks include:

- Decisions outstanding on planned stock changes such as disposal strategies and major projects such as the Guildhall Master Plan, Barbican Arts Centre and Markets Co-location continue to create uncertainty in the Corporate Properties Group workstream for CAS. As these buildings are amongst the highest



emitters for the operational estate, understanding their future is essential in planning for, and delivery of, the 2027 CAS target.

- Data quality and in some cases availability underpins both programme planning, capital allocation and validation of CAS targets. A recent internal audit found that there is a need for stronger data governance and related procedures across the programme. For example, though data quality is high with corporate and operational assets, it is lower across our tenanted portfolio. There is a need to establish new approaches to data governance and granularity in these areas and across the programme to ensure successful delivery.
- To ensure all future major developments commissioned by the City Corporation adhere to CAS targets, new design and technology standards are being developed. Ensuring these are embedded into all new capital works and are aligned with concurrent work on new Supplementary Planning Guidance will be critical to both the City Corporation's and the Square Mile's net zero targets.
- Recent unprecedented rises in energy prices and the cost of capital works presents a significant risk to CAS target delivery. CAS delivery is supported by the delivery of planned cyclical maintenance works and the capture of energy cost savings to fund further measures. Avoiding delays due to cost pressures will be necessary to avoid knock-on impacts to CAS targets. The mitigation in place includes introduction of behavioural management programme in buildings and the implementation and potential expansion of the Power Purchase Agreement (PPA).
- The City Corporation's 2027 net zero in own operations goal is significantly affected by the rate at which the UK electricity grid decarbonises. Approximately 70% of the emissions that fall under this target come from electricity use. In 2021, it was determined that the UK grid had delivered slower decarbonisation of supply than had been forecast. Mitigating the risk of this trend continuing by advancing PPA arrangements as above and rapidly improving the energy efficiency of our physical assets remains our most pressing action to ensure we reach this near-term target.

## **Corporate and strategic implications**

33. Strategic implications: The CAS supports delivery against the following outcomes in the Corporate Plan, 2018-23:

- Outcome 1: People are safe and feel safe
- Outcome 5: Businesses are trusted and socially and environmentally responsible
- Outcome 7: We are a global hub for innovation in financial and professional services, commerce and culture
- Outcome 10: We inspire enterprise, excellence, creativity and collaboration
- Outcome 11: We have clean air, land and water and a thriving and sustainable natural environment
- Outcome 12: Our spaces are secure, resilient and well-maintained.

34. The strategy builds upon existing strategies and policies, including: The Responsible Business Strategy 2018-23, the Responsible Investment Policy, the City Procurement Strategy 2020-24, the Local Plan 2015, the draft City Plan 2036, the Transport Strategy 2018-43, the Air Quality Strategy 2015-20, the Climate Mitigation Strategy, the Local Flood Risk Management Strategy 2021-27, the Transition to a Zero Emission Fleet Policy, the Renewable Electricity Policy & Sourcing Strategy and related campaigns, such as Plastic Free City. It is aligned to ongoing reviews of our financial and property investment portfolio.
35. Resource Implications – No new resourcing implications have arisen.
36. Risk Implications – To manage risk effectively in the programme, all projects have a risk register and the overall risks are controlled through a corporation level risk CR30 – Climate Action Strategy. No new corporate level risks have been added since the last Policy and Resources CAS update in January 2022.
37. Equalities Implications – A Test of Relevance was undertaken on the Climate Action Strategy and several positive impacts were identified for people in at least one of the following five protected groups - age, disability, race, pregnancy/maternity and gender. These include a reduction in air pollution, physical public realm improvements and increased indoor comfort levels and a reduction of fuel poverty. No negative impacts were identified. A review of the findings from the initial Test of Relevance was conducted at half year and they remain the same. Impacts will be investigated and assessed on an ongoing basis in conjunction with the delivery of the CAS programme of work.
38. No new legal, security, climate implications arise from the recommendations in this report.

## **Conclusion**

39. In conclusion, the programme is moving from a heavy mobilisation phase in the inaugural year to a heavy intervention phase in its second. This pivot will not require any new resourcing and all targets remain achievable, with the right focus and follow through. Climate Action Strategy and the associated implementation programme continues to be an exemplar of cross-cutting working towards shared corporate outcomes. It has and will continue to be in a constant state of learning to inform the further success of the CAS.

## **Appendices**

**Appendix 1 CAS Programme Risk Register**  
**Appendix 2 CAS Year 2 Programme Highlights**

## Appendix 1 CAS Programme Risk Register

Project	Description	Risk Rating (Q3)	Risk Rating (Q4)	CAS Target	Risk Response
Carbon Removals and Land Management	Negotiations with respective tenants for land considered to be of benefit for the Carbon Removals Project as part of the Climate Action Strategy are yet to be concluded	High	High	2027 Corporation	Additional consultancy has been retained to support fair and efficient process to negotiations.
Buildings – Resilience	Failure to secure specific technical capacity to inform key building design and planning application decisions relating to the whole life carbon of major developments.	High	High	Resilience Corporation	A climate resilience/sustainable design expert has now been sourced as part of the Centre of Excellence capacity-building work for FY21/22.
Square Mile	Delivery of Local Energy Plan delay due to project complexity	High	Risk is now mitigated	2040 Square Mile	A working group at officer level has been identified from Environment, Strategic Implementation and Surveyors to identify refreshed approach.
Buildings – Capital Projects (Standards)	Failure to secure specific technical capacity to inform key building design and planning application decisions relating to the whole life carbon of major developments.	High	High	2027 Corporation 2040 Corporation 2040 Square Mile	A consulting project has been commissioned to evaluate a representative sample of capital projects and their whole life carbon impact. In negotiations with a provider to deliver wrap around support to this workstream as part of the Centre of Excellence, which should accelerate action.

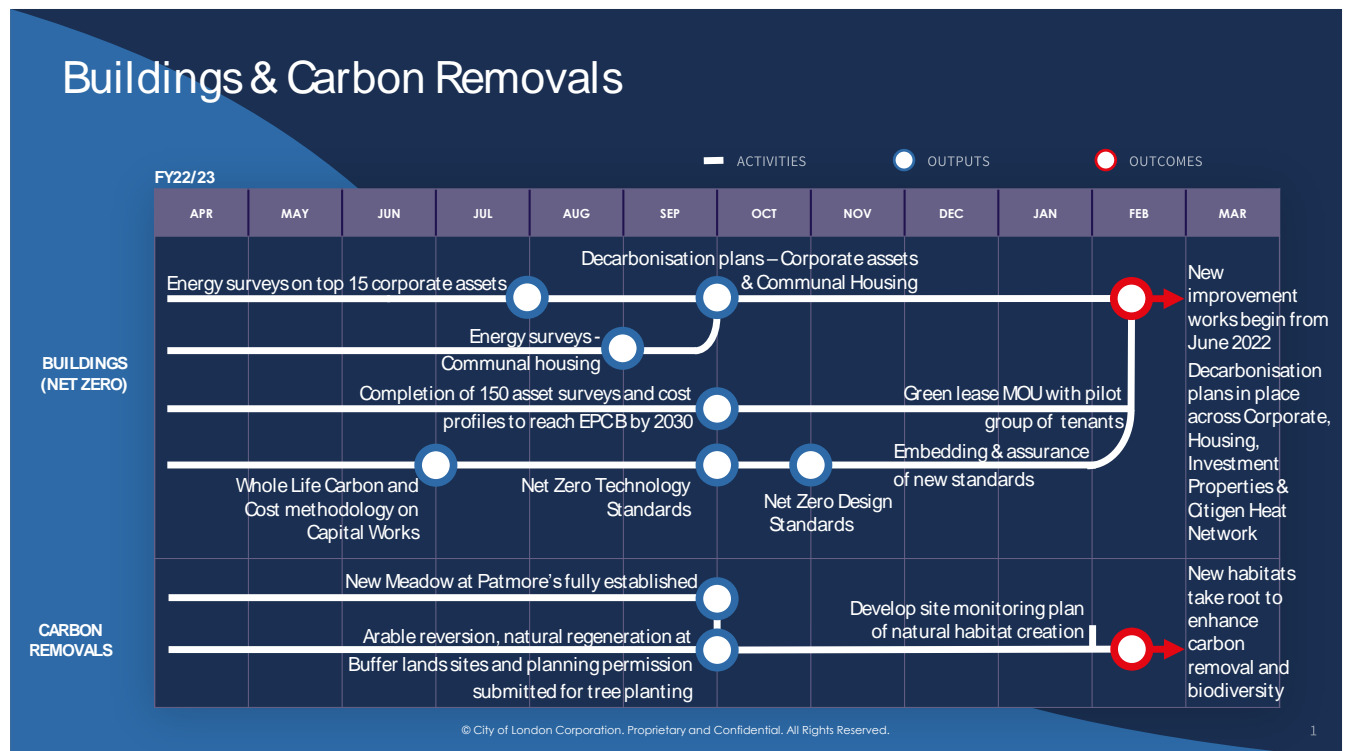
Strategy Implementation Support	Capture of financial savings to energy bill	High	Medium	2027 Corporation	Mechanism is in place and awaiting capital interventions to come online to recoup savings.
Strategy Implementation Support	Buoyant talent market for sustainability	High	Medium	2027 Corporation 2040 Corporation 2040 Square Mile Resilience Corporation Resilience Square Mile	Introduce nimble recruitment procedures for select CAS positions. Weekly monitoring of open positions performed and only have two open positions across programme.
Strategy Implementation Support	Mobilisation activities from Y1 do not quickly convert to interventions in Y2	High	High	2027 Corporation	Regular communication of delays to Chief Officers and weekly monitoring of progress for projects at higher risk of delays.
Buildings – Corporate Properties & Housing (landlord areas)	Uncertainty over future of Major Projects	High	High	2027 Corporation	Officers to prepare scenarios for decision making on interventions highlighting Guildhall following the receipt of the surveys of top emitters in Corporate Estate. Implications for CAS to be integrated into decision making on other Major Projects i.e. Markets.
Strategy Implementation Support	Construction inflation, labour and material shortages are contributing to additional costs and delays. This is a corporate wide issue not limited to CAS interventions but will of course impact several CAS workstreams.	High	High	2027 Corporation 2040 Corporation	Options to mitigate the impact are under review, such as early purchase of equipment and contract amendments.

Strategy Implementation Support	Potential for delivery delays due to resident groups not being sufficiently engaged and/or supportive of climate action measures	High	High	2027 Corporation 2040 Corporation	A dedicated engagement plan for each residential community to be in place for Y2 alongside implementation of the Housing Action Plan.
Buildings – Corporate Properties & Housing (landlord areas)	Delay in resourcing planned posts impacting delivery targets	High	Medium	2027 Corporation	New Energy Project Managers will be sourced to support the CAS operational property work as part of the Centre of Excellence capacity-building work for FY21/22. Two of 3 positions now filled.
Buildings – All	Sufficient planned stock changes in asset planning	New Risk	High	2027 Corporation 2040 Corporation	Ongoing risk management approach to be incorporated in delivery  The impact of slippage to planned stock changes to be modelled in order to understand the potential impact.
Buildings – All	Funding gaps in cyclical works programme	New Risk	High	2040 Corporation	Delivery Approach to consider how cyclical works funding requirements will be addressed.
Buildings – Corporate Properties & Housing (landlord areas)	Grid decarbonisation does not occur at rate predicted in original CAS models	New Risk	High	2040 Corporation	Grid decarbonisation to be tracked by Energy Team.  Ongoing risk management approach to be incorporated into Delivery Approach.

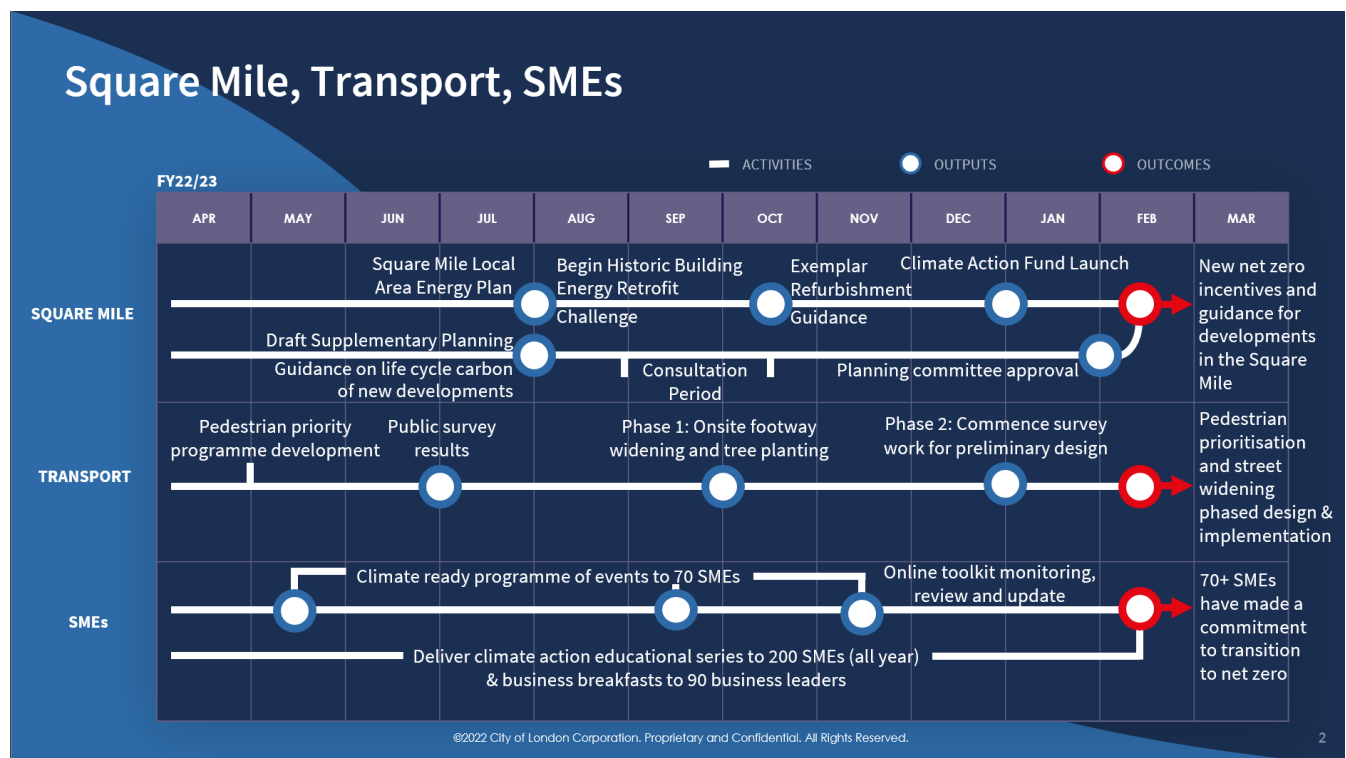
Buildings – Investment Properties	Quality of energy data is not of sufficient quality	New Risk	High	2040 Corporation	Introducing improved metering strategy.  Senior Sustainability consultant to develop and oversee implementation of a data maturity strategy
Corporate Risk	Spike in energy prices	New Risk	High	2027 Corporation	Introducing Behavioural management programme in buildings and look to advance quick wins  Scoping new PPA (Power Purchase Agreement)

## Appendix 2 Y2 CAS Programme Highlights

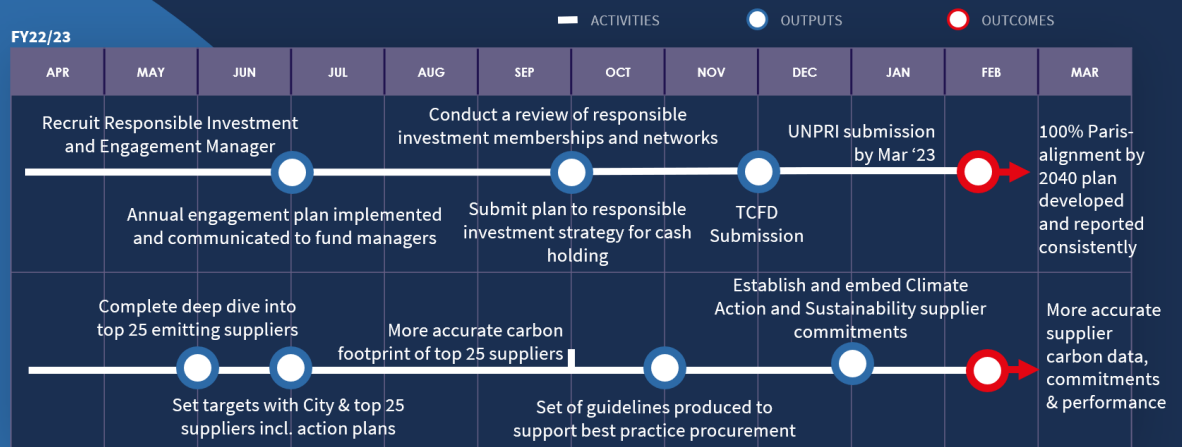
### Buildings & Carbon Removals



### Square Mile, Transport, SMEs



## Financial Investments & Purchased Goods & Services



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## Mainstreaming Climate Resilience, Cool Streets & Greening & Resilient Buildings



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<b>Committee(s)</b>	<b>Dated:</b>
Policy & Resources Committee	5 <sup>th</sup> May 2022
<b>Subject:</b> Application for designation of the Tipperary Public House as an Asset of Community Value	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	<b>4, 10, 12</b>
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	<b>N/A</b>
<b>What is the source of Funding?</b>	<b>N/A</b>
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>N/A</b>
<b>Report of:</b> Juliemma McLoughlin, Executive Director, Environment Department	<b>For Decision</b>
<b>Report author:</b> Michelle Price, Environment Department	

## Summary

The City Corporation has received a nomination from a Ward Member for Castle Baynard, on behalf of 24 local residents to designate the Tipperary public house, 66 Fleet Street, as an Asset of Community Value (ACV). This is only the second such application that has been made to the City Corporation. Detailed national regulations, the Assets of Community Value (England) Regulations, were published in 2012 and non-statutory guidance issued by the Government in the same year. In 2016, the Policy & Resources Committee adopted guidelines for the assessment of ACV nominations, including specific guidance for public houses. The information supplied by the applicant has been assessed in the context of statutory criteria on the validity of nominations and the City Corporation's ACV guidelines.

The nominator has provided information on the historic use of the building which has been in use as a public house for over 575 years. This information is supplemented by extractions from CAMRA website and publications which cite the extensive social history of the pub and cultural association within the Fleet Street area.

Regulations require that an ACV nomination should be approved by the local authority if the nomination meets the criteria set out in Regulation for the designation of an ACV. The determination of whether the Tipperary should be designated as an Asset of Community Value has been considered on the basis of the evidence submitted by the applicant and the assessment set out in the appendix to this report. The submitted evidence meets the national criteria and the City Corporation's guidelines for designation of an Asset of Community Value.

Regulations require the local authority to notify the landowner and occupier. At the time of drafting this report, no response to the notification has been made by the landowner or present or last known occupier/tenant. 1 letter of support has been received for the nomination.

## **Recommendation(s)**

Members are recommended to:

- Designate the Tipperary Public House an Asset of Community Value.

## **Main Report**

### **Background**

1. On 28th January 2022, the City Corporation received an application from a Ward member of Castle Baynard, on behalf of 24 local residents, for the designation of the Tipperary public house, 66 Fleet Street, as an Asset of Community Value.
2. This is the second such nomination received by the City Corporation. Responsibility for the determination of ACV nominations has not been specifically delegated to a committee and therefore rests with the Policy & Resources Committee.
3. Part 5 Chapter 3 of the Localism Act 2011 provides for the designation of certain buildings or land as Assets of Community Value (ACV). The legislation allows local community groups to nominate buildings or land as ACVs and requires local authorities, including the City Corporation, to make ACV designations if, in the opinion of the authority, the nominated building or land furthers the social wellbeing and social interests of the local community, and it is realistic to think that there can continue to be use of the building or land which furthers the social wellbeing or social interests of the local community. The landowner has a right to request a review of a decision to designate and a right to independent appeal. There is also provision for compensation to be claimed for loss arising out of the designation and the costs incurred in progressing a successful appeal. There is no right of appeal for applicants seeking designation. Once designated, statutory limitations are placed on a landowner's ability to sell the building or land, with a 6 month moratorium period during which the landowner cannot agree a sale, to enable the local community to put together a bid to purchase, although there is no requirement on the landowner to sell to the local community at the end of the moratorium period.
4. The application is available on the City Corporation's website, along with information supplied by the nominator at <https://www.cityoflondon.gov.uk/assets/Services-Environment/tipperary-acv-application.pdf>
5. The City Corporation is required to determine this application within a period of 8 weeks from the date of receipt. The applicant has agreed an extension of

this time period during the City Corporation's pre-election period and subsequent appointment of committees.

6. At its meeting on 15 December 2016, the Policy & Resources Committee approved guidelines for determining nominations for ACVs, applying national regulation to the specific circumstances of the City of London. These guidelines are attached at Appendix 1.

### **Current Position**

7. This report deals with the application for the Tipperary public house. Appendix 2 sets out an assessment of the application for the Tipperary against each of the criteria established in the City Corporation's ACV guidelines. The assessment is in 2 sections, the first section deals with the statutory requirements for a valid nomination and the potential for future use of the land or building. The second section deals with evidence that the public house use furthers the social wellbeing or social interests of the local community. For the statutory requirements under Section 1, a nomination will need to meet all the requirements to be considered a valid nomination. For the evidence assessment under Section 2, a more flexible approach is taken, with criteria assessed as strong evidence, some evidence, no evidence and uncertain. The overall contribution made to social wellbeing and social interest should be assessed taking all criteria and other local knowledge into account.
8. In terms of Section 1: Validation, the application has been submitted by a Ward Member of Castle Baynard on behalf of 24 residents of Castle Bayard Ward registered on the Electoral List. This group of residents meets the regulatory requirements as an eligible community body, with a local connection, to submit nominations for ACV under the regulations. The Tipperary public house's primary lawful use as a drinking establishment is sui generis and it does not fall within any of the exempt land uses set out in national Regulation. The application is therefore valid.
9. The public house was in active use prior to Covid-19 restrictions but has not re-opened following the lifting of restrictions. The pub is currently vacant, having been recently sold. Redevelopment works to the adjacent 65 Fleet Street building are underway and it is understood that the developers agent has confirmed that the pub will be closed and protected during these works and re-opened on completion of the works. There is no indication that the Tipperary will not continue to operate as a public house or provide a social and community benefit.
10. Section 2 of the assessment relates to whether the Tipperary furthers the social wellbeing and social interest of the local community. Appendix 1 shows that the public house does not routinely hold meetings of clubs or events due to its constrained size and layout. There is a small upper floor dining room called the Boar's Head which is available for functions. CAMRA describes The Tipperary as a heritage pub and it is one of several historic pubs within Fleet Street adjacent to the legal quarter of the City. The building is designated as a Grade II Listed heritage asset as a public house operating since around 1667 and is well documented within books and articles. The Tipperary has a long

history of use as a public house (albeit under different names) and is described as a 'corridor pub' designed for upright drinking, noted for carved bar back, tiled floor, wood panelled wall and two advertising glass panels. It has local social and cultural associations with this part of the city. The Tipperary is deemed to have furthered the social interest of the local community.

11. The application suggests that the Tipperary serves local workers however does not provide any evidence. The nomination outlines the Tipperary's former use by the local resident community and city workers. Whilst there is no social club, the pub lies within a large catchment of city workers. Residents and City workers are defined as City communities in the City Corporations Statement of Community Involvement which supports the Corporation's planning functions. Fleet Street has a large catchment of City workers from the legal quarter of the City.
12. No objection or comment has been received from the building owner to the proposed ACV designation. 1 letter of support has been submitted by local resident.
13. The ACV nomination for the Tipperary is therefore considered to meet the requirements under national Regulations and City guidelines as a valid nomination and one that furthers the social and community interests of the City. In line with Regulation, the Tipperary should be designated as an Asset of Community Value.

### **Procedural Next Steps**

14. If the nomination is refused, there is no right of appeal for the applicant. There is, however, no restriction on the number of nominations relating to the same site that can be made for ACV status. Each would need to be considered on its merits.
15. If the nomination is approved and the ACV designated, the landowner has a right of appeal. In the first instance the appeal is to a senior officer within the City Corporation who has not been involved in the determination of the initial application (this would be through the Town Clerk or other nominated senior officer). If this appeal fails, there is provision for a second independent appeal to the First Tier Tribunal.

### **Corporate & Strategic Implications**

16. The consideration of the Tipperary public house as a possible Asset of Community Value accords with the Corporate Plan (2018-2023) aims to provide modern, efficient and high-quality local services for workers, residents and visitors, and to provide valued services, such as education, employment, culture and leisure, to London and the nation.

## **Financial implications**

17. The Localism Act and Regulations make provision for the possible payment of compensation by the local authority to the landowner of such amount as the local authority may determine for any incurred loss or expense in relation to the land which would be likely not to have been incurred if the land had not been listed as an ACV. Specific reference is made in Regulation to compensation arising from a delay in entering into an agreement to sell (due to the moratorium) and for reasonable legal expenses incurred in a successful appeal to the First-Tier Tribunal, but Regulation also permits any other claim in respect of loss or expense.

## **Resource implications**

18. There are no resource implications arising from this report.

## **Legal implications**

19. There are no direct legal implications arising from this report but the building owner has the right of appeal firstly to the City Corporation and secondly to the First-Tier Tribunal which will require additional legal advice, including potentially counsel's advice and support.

## **Risk implications**

20. Although the designation will be a material consideration in the determination of any future planning application, any such application would need to be determined on the basis of its individual merits and its accordance with the Development Plan. Designation as an ACV would not fetter the Planning & Transportation Committee's consideration of the wider merits or otherwise of a planning application.

## **Equalities implications**

21. The City Corporation is required by the Localism Act 2011 to consider this nomination and if, in its opinion, the pub furthers the social wellbeing or social interests of the local community and will continue to further these interests in the future, then the City Corporation must designate the building as an ACV. The ACV status is time limited and will lapse after 5 years. Preparation of the Localism Act 2011 has been informed by an equalities impact assessment of the Localism Bill. The ACV process seeks to promote equality through civic and democratic participation in planning and benefit neighbourhood communities.

## **Climate implications**

22. There are no direct climate implications.

## **Security implications**

23. There are no direct security implications.

## **Conclusion**

24. Representatives of the local community have nominated the Tipperary public house on Fleet Street as an Asset of Community Value. An assessment of the nomination has been undertaken which has concluded that the nomination meets the requirements in national regulation for a valid nomination. This evidence has also demonstrated that the Tipperary furthers the social and community interests of the City and that it will continue to do so in the future. No objection to the designation of the Tipperary as an ACV has been received at the date of drafting of this report, although 1 letter of support has been submitted by local resident.

25. The ACV nomination for the Tipperary is therefore considered to meet the requirements under national Regulations and City guidelines for designation as an Asset of Community Value.

## **Appendices**

- Appendix 1 – City of London Corporation guidelines for assessment of ACV
- Appendix 2 - Assessment of the application for ACV status for the Tipperary public house

The application for ACV status and related representations can be viewed at:  
<https://www.cityoflondon.gov.uk/services/planning/planning-policy/localism-and-neighbourhood-planning>

### **Michelle Price**

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## **Assets of Community Value**

### **City of London Corporation: Guidelines for Determining Nominations**

#### **Introduction**

1. Part 5, Chapter 3, of the Localism Act 2011 introduced provisions for the designation of certain buildings or land as Assets of Community Value (ACV). Under Section 88 (1) of the Act, a building or other land in a local authority's area is land of community value if in the opinion of the authority:
  - a) An actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community, and
  - b) It is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community.
2. Under Section 88 (2) land or buildings can also be of community value if in the opinion of the authority:
  - a) There is a time in the recent past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or interests of the local community, and
  - b) It is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.
3. Detailed regulations, the Assets of Community Value (England) Regulations, 2012, provide further guidance on the eligibility of voluntary or community bodies to nominate land or buildings and identify those land or buildings which are exempt from the provisions of the Act (i.e. cannot be designated as ACVs). In 2012, the Department for Communities and Local Government published non-statutory guidance for local authorities on the ACV process. Since 2011, many ACVs have been designated across England and this has established good practice and, in the case of appeals, case law which has interpreted the Act and Regulations.

#### **Guidelines for Nominations in the City of London**

4. This note provides guidelines for applicants seeking to nominate land or buildings in the City of London as Assets of Community Value.
  - **Section 1** deals with the legislative requirements which must be met for an application to be valid. Failure to provide the required information or meet the required definitions will result in the application being rejected as not valid.
  - **Section 2** sets out local criteria which will be considered by the City Corporation when dealing with applications for ACV status for public houses in the City of London.

## **Section 1: Validation of Nominations**

### **A) Information Requirements**

A nomination must contain the following information:

- A description of the nominated land or building, including its proposed boundaries. This should contain a plan showing the location of the land or building within the City of London.
- Any information available to the applicant about freeholders, leaseholders and occupiers of the land or building being nominated.
- The reasons for nominating the land or building.
- The applicant's eligibility to nominate the land or building.

### **B) Does the Applicant have a local connection?**

The applicant must demonstrate a local connection with the City of London:

- The applicant's activities must be wholly or partly concerned with the City of London, or with a neighbouring borough (Westminster, Camden, Islington, Hackney, Tower Hamlets, Southwark or Lambeth).
- For not-for profit and unincorporated bodies, any surplus generated must be wholly or partly applied for the benefit of the City of London or its neighbouring boroughs.
- For unincorporated bodies, they must have at least 21 members who are registered for local government elections in the City of London or its neighbouring boroughs.

Supporting evidence will need to be submitted to demonstrate how the applicant meets these tests.

### **C) Status of the Applicant**

An applicant seeking ACV status must be a voluntary or community body, as defined in Section 5 of the Regulations. The applicant must be one of the following:

- A designated Neighbourhood Forum, or
- A not-for-profit unincorporated body, comprising at least 21 members; or
- A registered charity; or
- A not-for-profit company limited by guarantee; or
- A not-for-profit industrial and provident society; or
- A community interest company.

To support a nomination, applicants will normally have to provide supporting evidence to confirm their status, such as articles of association or charity registration.

### **D) Land or building requirements**

The applicant must demonstrate that the land or building being nominated as an asset of community value:

- Is located within the City of London.
- Is not listed in Schedule 1 of the 2012 Regulations as being exempt from designation. In the City of London this means:



- The land or building is not a residential property.
- The land or building is not defined as operational land for statutory undertakers.

### **E) Principal use of the land or building**

A nomination must contain evidence to demonstrate that the current or recent use of the nominated asset is actually the primary or principal use of the land or building and not an ancillary use. In interpreting this provision:

- The City Corporation will have regard to the established planning use of the land or building.
- Recent use will normally be taken as within the past 3 years.

### **F) Evidence of continued/future use**

Legislation requires that it is realistic to think that a current use can continue or that there could be a use in the next 5 years which, in either case, furthers the social wellbeing or social interests of the local community.

Legislation does not require the future use to be the same as the current or recent use, merely that the future use will further the social wellbeing or social interests of the local community. Such use does not have to be “likely”, but can be one of several realistic options, and must be more than “fanciful”.

The current owner’s intentions are relevant, particularly if it is likely that they will be implemented, e.g. a planning permission where there is strong evidence that it will be implemented. (However, a pending planning application to end or change the current use should not be pre-judged in order to inform the ACV decision, as such a planning application would be subject to separate consideration.)

## **Section 2: Guidelines for Public House Nominations in the City of London**

It is not possible to anticipate all possible land uses that might be nominated as an ACV, nor provide guidelines on how each land use might be assessed. National experience has shown that the most common land use nomination has been the public house. Therefore it is considered helpful to provide guidelines on the approach that will be taken in the consideration of nominations submitted for public houses in the City of London.

The City Corporation recognises that public houses in the City vary greatly in their character, customers and in their contribution to the local community. It considers that they largely cater for the working population who tend to use a range of public houses for socialising with colleagues and others. Therefore many pubs have a transient or variable user base rather than a core of regulars who derive particular social value from a particular public house. However the City Corporation will consider each nomination on its merits taking into account the evidence submitted with the nomination in the context of the examples given in these guidelines. It is expected that nominations will normally include evidence relating to a wide range of the examples given in these guidelines.

### **Local Community**

The City Corporation's Statement of Community Involvement already recognises that it is not appropriate to regard the 'local community' as being limited to just the resident community. The local community is not defined in the Act, and public houses in the City serve a range of customers including workers, residents and visitors. Such customers can form part of the local community providing they regularly frequent a public house and contribute to its community spirit. Therefore the local community served by a public house may comprise local residents and others who frequent it and regard it as their 'local'. To assist in the determination of a nomination, applicants should define the local community for the public house under consideration and justify this definition with supporting evidence.

### **Furthering Social Wellbeing or Social Interest**

The City of London contains over 200 drinking establishments (Use Class A4) which include public houses and wine bars. They vary greatly in their character, customers and in their contribution to the local community. When considering a nomination for a public house as an ACV, City Corporation Members will use their local knowledge and consider the evidence submitted in support of the nomination. Such evidence should relate to the public house's role in furthering the social wellbeing or social interests of the local community.

'Social Wellbeing' is not defined in the Act but is generally taken to mean a condition where there is a positive sense of involvement contributing to quality of life or welfare. 'Social Interest' is defined to include cultural, recreational or sporting interests.

In order to list a public house as an ACV it should be shown that the local community derives social benefit from the use and that the local community would suffer a loss if the use ceased. The nature or consequence of the loss to the community should be identified.

Examples of evidence that would help show the use furthers social wellbeing or social interest include:

- 1) Evidence from local residents, other individuals and groups who use the public house that it furthers social wellbeing or social interests, e.g. letters, email, social media posts, petitions.
- 2) Evidence from local elected Members and other local community leaders that the public house furthers social wellbeing or social interests.
- 3) Evidence of awards, recognitions and recommendations earned by the public house.
- 4) Evidence of long term use as a public house contributing to a sense of place for the local community.
- 5) Other social or cultural associations with the local area.
- 6) Evidence it is a well-used venue for local sports and games competitions, e.g. pool, snooker, darts, dominoes, cards.
- 7) Fielding a representative 'pub team' in local sports or games leagues or other competitions, e.g. football, darts.
- 8) Evidence it is a well-used regular meeting venue for local clubs, societies, hobby groups, work-based groups and other special interest groups.
- 9) Evidence of the staging of frequent events which meet the needs of local customers, e.g. quiz nights, karaoke, parties, etc.
- 10) Evidence it is a well-used venue for local community events and services, e.g. Community Toilet Scheme membership, providing a venue for parties, family occasions, offering a room(s) for hire, catering available.

December 2016

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**ACV Assessment Matrix**  
**Assessment Against City Corporation ACV Guidelines**

<b>Section 1: Validation of Nomination</b>	<b>Comment</b>	<b>Conclusion</b>
<i>A) Information Requirements</i>		
Description of the nominated land or building	The nomination provides a description of The Tipperary Public House and the Land Registry Title and Location Plan	Valid nomination
Information about freeholders, leaseholders and occupiers	A copy of the property registry has been submitted Indicating that Whitefriars Ltd are the registered owners. Notice also to be served on HSBC and occupier of The Tipperary, 66 Fleet Street.	
Reasons for nomination	<p>The nomination provides details that the public house is currently vacant; is adjacent to redevelopment site, there is no confidence that the pub will be retained after redevelopment works and a risk of listed items being removed from the building.</p> <p>A pub has been present on this site for approx. 575 years and played a key role in the life and function of this part of the City. This is a genuine and authentic City pub which, unlike nearby historic pubs, has not re-opened since the end of Covid-19 restrictions.</p>	Valid nomination
Nominator's eligibility	Nomination is by a Ward Member for Castle Baynard, on behalf of 24 local residents	Valid nomination
<i>B) Status of the Nominator/Applicant</i>		
Does the nominator meet the definition of a community body?	The nomination provides details of 24 residents of the ward of Castle Baynard	Valid nomination

Section 1: Validation of Nomination	Comment	Conclusion
	registered on the latest Electoral Ward List.	
<i>C) Does the Nominator/Applicant have a local connection?</i>		
Are the nominator's activities wholly or partly concerned with the City of London or neighbouring boroughs?	The nominator is a Ward Member of Castle Baynard within the City of London, on behalf of 24 local residents	Valid nomination
Is any surplus generated wholly or partly applied for the benefit of the City of London or neighbouring boroughs?	Not applicable/ no surplus generated	
Does the nominator have at least 21 members who are registered for elections in the City of London?	The nomination provides details of a not for profit unincorporated body of 24 residents of the ward of Castle Baynard registered on the latest Electoral Ward List February 2022.	Valid nomination
<i>D) Does the land or building meet the requirement for nomination?</i>		
Is it located in the City of London?	The Tipperary Public House lies within Castle Bayard ward, 66 Fleet Street	Valid nomination
Is the building exempted from designation?	The Tipperary was last used as a public house. It does not fall within the categories of exempted land uses in the Regulations (residential, a residential caravan park or on operational land for statutory undertakers)	Valid nomination
<i>E) Is the nominated use the primary use of the land or building?</i>		
Primary use of the land or building	The Land Registry Title Plan indicates that the building's primary use is as a public house. Planning register confirms that the existing lawful use is as a sui generis drinking establishment. There is a small first floor dining room known as the	Valid nomination

Section 1: Validation of Nomination	Comment	Conclusion
	Boars Head, which is ancillary in nature.	
<i>F) Is there evidence of continued/future use?</i>		
<p>Is it realistic to think that the current use could continue or there could be a use which furthers social wellbeing or social interest in the next 5 years?</p>	<p>The lawful use of The Tipperary is as a sui generis drinking establishment and this will remain until a change of use is authorised by the City Corporation.</p> <p>The public house was in active use prior to Covid-19 restrictions but has not re-opened following the lifting of restrictions. The pub is currently vacant, having been recently sold. Redevelopment works to 65 Fleet Street are underway and it is understood that the developers agent has confirmed that the pub will be closed and protected during these works and re-opened on completion of the works.</p> <p>CAMRA describe The Tipperary as a heritage pub, there are several historic pubs within Fleet Street adjacent to the legal quarter of the City. There would appear to have been a pub at this location for 575 years and a great deal of social history within books and articles. Whilst there is no social club, the pub lies within a large catchment of city works. The Tipperary is deemed to have social interest of the local community.</p>	Valid nomination

Section 2: Evidence that would help show the use furthers social wellbeing or social interest	Comment	Conclusion
Does the nomination define a local community?	<p>The nomination outlines the Tipperary's former use by the local resident community and city workers.</p> <p>Residents and City workers are defined as City communities in the City Corporations Statement of Community Involvement which supports the Corporation's planning functions. Fleet Street has a large catchment of City workers from the legal quarter of the City.</p> <p>No information is provided on the number of people using the public house prior to this period of vacancy.</p> <p>Note: There is no requirement in the legislation for a nomination to define a local community</p>	Strong evidence
1) Evidence from local residents, other individuals or groups who use the public house that it furthers social wellbeing and social interest, e.g. letters, emails, social media, petitions	<p>Pending planning application ref 21/00709/FULMAJ for variation conditions 20 &amp; 21 of 19/0058/FULMAJ (approved 06/04/2020) at No 65 Fleet Street</p> <p>The submitted information includes an article from CAMRA website alerting residents to closure of Fleet Street pubs during the pandemic.</p> <p>Extensive social history of the pub has been submitted which includes extracts from studies carried out on community pubs and from published books. The site appears to have long standing recognition as a</p>	Some evidence



Section 2: Evidence that would help show the use furthers social wellbeing or social interest	Comment	Conclusion
	public house and clearly contributes to a sense of place furthering social interest of the area.	
2) Evidence from local Members and other community leaders that the public house furthers social wellbeing and social interest	The nomination has been submitted by a Member for Castle Baynard Ward. The nomination is supported by 24 local residents, several of whom were City Corporation Members prior to the March 2022 elections.	Strong evidence
3) Evidence of awards, recognitions and recommendations earned by the public house	<p>The building is Grade II listed. The List Entry notes that it dates from circa 1667, with alterations and an early C20 front to the ground floor. It's most famous interior feature is a pair of large advertising mirrors, believed to date from around 1895 to 1900.</p> <p>Identified as a CAMRA Heritage Pub No awards notified.</p>	Strong evidence
4) Evidence of long term use as a public house contributing to sense of place for the local community	The site appears to have been a public house for over 575 years and has clearly contributed to a sense of place furthering social interest in the area.	Strong evidence
5) Other social or cultural association with local area	<p>The Tipperary is described as a 'corridor pub' designed for upright drinking, noted for carved bar back, tiled floor, wood panelled wall and two advertising glass panels.</p> <p>Extensive social history on the site of the pub and surroundings. The original name was the Boars Head, in 1895 a Dublin brewery chain purchased the pub and it was</p>	Strong evidence

Section 2: Evidence that would help show the use furthers social wellbeing or social interest	Comment	Conclusion
	known as Mooneys Irish House and in 1967 the name changed to the Tipperary.	
6) Evidence that the public house is well used as a venue for local sports and games competitions, e.g. pool, snooker, darts, dominoes, cards	<p>The pub does not have a social club given its nature as a corridor pub and constrained nature.</p> <p>There is a small upper floor dining room called the Boar's Head which is available for functions</p>	Some evidence
7) Fielding a representative 'pub team' in local sports or games leagues or other competitions, e.g. football, darts	The pub does not have any representative pub teams as there are no social clubs.	No evidence
8) Evidence that the public house is well used as a regular meeting venue for local clubs, societies, hobby groups, work-based groups and other special interest groups.	<p>The pub lies within Fleet Street adjacent to the legal quarter and a large catchment of City workers.</p> <p>There is a small first floor dining room 'The Boars Head' which is available for functions.</p>	Some evidence
9) Staging frequent events which meet the needs of local customers, e.g. quiz nights, karaoke, parties, etc.	There is no information to indicate any celebratory events held at the pub.	No evidence
10) Evidence that the public house is used as a venue for local community events and services, e.g. Community Toilet Scheme membership, party bookings, family occasions, room for hire, catering available.	<p>The upstairs dining room is advertised as being available for functions.</p> <p>The pub does not participate in the Community Toilet Scheme.</p>	Some evidence

<b>Committee(s):</b> Police and Resource Committee – For decision	<b>Dated:</b> 5/5/2022
<b>Subject: London Pension Fund Authority (LPFA) pension liability</b>	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	5
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	<b>£</b>
<b>What is the source of Funding?</b>	
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>N/A</b>
<b>Report of: The Chamberlain</b>	<b>For Decision</b>
<b>Report author: Neilesh Kakad – Financial Service Department</b>	

## Summary

The London Pension Fund Authority (LPFA) manages the pension arrangement for former pan-London organisations the Greater London Council (GLC) and the Inner London Education Authority (ILEA). In order to manage these liabilities, contributions are paid by all London boroughs and the City Corporation.

A recent re-assessment of pension liabilities has established a funding shortfall, for which a London wide agreement has been put forward to address this through continuation of current contribution levels over a longer period.

This report seeks agreement to this proposal.

## Recommendation(s)

Members are asked to:

- Endorse the terms of the agreement set out in appendix A
- Authorise the Chamberlain, in consultation with the Chairman and Deputy Chairman, to finalise and complete the agreement.

## **Main Report**

### **Background**

1. The London Pension Fund Authority (LPFA) is the administering authority for pension schemes linked to predecessor organisations the Greater London Council (GLC) and Inner London Education Authority (ILEA).
2. When these organisations were disbanded the pension assets and liabilities of these organisations, which weren't transferred to other entities as part of the wind-down process, have been managed by the LPFA on behalf of London. In addition, the LPFA also manages asbestos claims and unfunded pension payments related to GLC/ILEA staff.

### **Current Position**

3. The City Corporation's City Fund currently contributes £118k pa to the LPFA for management of the fund and the cost of asbestos/unfunded pension payments, described as category B liabilities in the agreement show in appendix 1. No payments are currently made regarding the pension fund position.
4. Following actuarial review of the fund's asset and liabilities, an additional funding gap has been established as current estimates show liabilities will outweigh assets, described as category A liabilities in the agreement.

### **Proposals**

5. The proposed approach to resolve this issue is by maintaining the current contributions levels for all London boroughs and the City Corporation for a longer timeframe than initially required. As mentioned above, alongside the costs of the managing the fund, the current contribution relates specifically for the costs of asbestos related claim and unfunded pension payments. As these claims/payments begin to reduce as claimants pass away, this contribution would reduce.
6. In maintain contributions at their current level, it is estimated that this will provide the necessary funding to address the pension deficit. No reduction in the current contribution level has been factored into the current year or medium term financial plan so there is no change to current estimates. Should any change occur then this would be highlighted as part of the annual budget setting process. In line with all pension funds, this estimate is subject to triennial valuation, which may alter the funding requirements and hence contribution levels.
7. This agreement also seeks to address a gap in confirming the bodies responsible for the category A liabilities. This issue was subject to regulation, but the coalition government requested that the LPFA and the London boroughs resolve the

issues themselves or else they would intervene. Therefore, to enact this agreement, all the London boroughs and the City Corporation must be in agreement. The agreement has been reviewed by all S151 Officers and has been signed off by all boroughs barring ourselves and one other.

Strategic implications – None.

Financial implications – None as current budget estimates remain as previously agreed.

Resource implications – None.

Legal implications – the City Corporation, along with all other London boroughs, acknowledge their responsibility for these liabilities.

Risk implications – None.

Equalities implications – None.

Climate implications – None.

Security implications – None.

## **Conclusion**

8. It is recommended that the City Corporation signs up to the proposed agreement from the LPFA in line with the other London borough.

## **Appendices**

- Appendix 1 – LPFA Agreement

## **Background Papers**

None.

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**DATED**

**2021**

**(1) THE LONDON PENSIONS FUND AUTHORITY**

**and**

**(2) THE LONDON BOROUGHs AS SET OUT IN SCHEDULE 2**

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**PENSIONS AGREEMENT**

**In respect of GLC/ILEA Local Government Pension Scheme  
liabilities**

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2nd Floor  
169 Union Street  
London  
SE1 0LL

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**Between:**

- (1) **THE LONDON PENSIONS FUND AUTHORITY** of 2nd Floor, 169 Union Street, London, SE1 0LL (the "**Administering Authority**"); and
- (2) **THE LONDON BOROUGHs AS SET OUT IN SCHEDULE 2 TO THIS AGREEMENT** (the "**Boroughs**")

**Background**

- (A) The Administering Authority is an administering authority. It administers and maintains the Fund in accordance with the Regulations. The Administering Authority also has acts in other capacities and has other responsibilities, including being responsible for administering various levy payments in respect of various other residual liabilities and benefits (such as in relation to asbestosis claims) as referred to in Recital M.
- (B) Each Borough is a Scheme employer within the meaning of the Regulations. The Boroughs inherited and are responsible for certain historic liabilities, as set out in the following Recitals to this Agreement. Where "Boroughs" is used this refers to the Boroughs as a whole and "Borough" means each borough in its own capacity.
- (C) In 1986 the Greater London Council ("**GLC**") was abolished.
- (D) At the time of the GLC's abolition:
  - (i) the employees of the GLC transferred to new employers, principally the Boroughs (and other employers);
  - (ii) it was agreed that the liabilities in respect of the active members that became employed by the Boroughs should be transferred across from the GLC Fund to the Successor Funds;
  - (iii) an appropriate apportionment of the GLC Fund in respect of these active members was calculated and paid to each of the Successor Funds in 1990; and
  - (iv) this transfer and payment only related to those active members that are referred to above. The deferred, pensioner and dependant liabilities remained in the GLC Fund.
- (E) Separately, in 1990 the Inner London Education Authority ("**ILEA**") was abolished.
- (F) At the time of ILEA's abolition:
  - (i) the ILEA staff transferred to, principally, the Inner London Boroughs;
  - (ii) the Inner London Boroughs became education authorities in their own right and took on the relevant functions of ILEA;
  - (iii) the former LGPS regulations were amended to provide that any employee of ILEA who transferred to an Inner London Borough within a month of leaving would remain in the ILEA Fund and no apportionment would be made; and
  - (iv) the pensioner and deferred liabilities would also remain in the ILEA Fund.
- (G) In April 1986, the London Residuary Body ("**LRB**") was established and was the successor body to the GLC and ILEA. The LRB took over the functions of the GLC Fund and the ILEA Fund.
- (H) In 1989 the Administering Authority was established by The London Government Reorganisation (Pensions etc.) Order 1989 to take over certain functions of the LRB (including in respect of the former GLC Fund and ILEA Fund and associated liabilities),

with effect on and from 1 April 1990. In 1996, the LRB was wound-up and the liabilities remained with the Administering Authority.

- (I) The Boroughs agree that they are responsible for the Category A Liabilities.
- (J) At the time of the abolitions referred to in the recitals above and based on actuarial assumptions at the time, it was believed that there were sufficient assets to meet the liabilities referred to in this Agreement. Such liabilities were retained in the Fund and the Administering Authority is now reverting to the Boroughs to meet those liabilities as it has been identified that there are not sufficient assets to meet those liabilities. The Boroughs inherited responsibility for those liabilities and, therefore, this Agreement thereby documents that they are responsible for those liabilities.
- (K) The issue regarding the Category A Liabilities began to materialise in 2001 when it became clear that the monies that were originally retained in respect of the Category A Liabilities would not be enough to meet the actual Category A Liabilities and to pay the benefits required. There are now insufficient assets to meet these payments, and therefore additional funds are now required from the Boroughs to meet these liabilities.
- (L) The Administering Authority subsequently carried out further valuations which confirmed the future funding deficit in respect of the Category A Liabilities. The Administering Authority notified the Boroughs that it intended to issue a levy in relation to the Category A Liabilities relating to the deficit. The former Government prepared draft regulations in relation to the responsibility for this deficit, however, this was challenged, and the position remained unresolved. The later Coalition Government's view was that the Boroughs and the Administering Authority should try and resolve this issue amongst themselves and failing this, the position would need to be legislated for.
- (M) There is currently in place a levy in respect of the Category B Liabilities, being the Current Total Levy in respect of which each of the Boroughs pay the relevant Current Levy Share.
- (N) It is understood that the Current Total Levy will decrease over time (due to the liabilities 'dropping off') and therefore the Current Levy Share that each Borough is required to pay in respect of the Category B Liabilities will decrease. For the avoidance of doubt, the Category B Liabilities are not the same as the Category A Liabilities.
- (O) The Administering Authority carried out its triennial valuation of the Fund as at 31 March 2019. This revealed that the total deficit in respect of the Category A Liabilities was approximately £139,652,000 as at that date. This is calculated on the ongoing basis.
- (P) The Administering Authority and the Society for London Treasurers have agreed on behalf of the Boroughs that:
  - (i) a fair proportion of the Category A Liabilities for which the Boroughs are responsible is 90% (these liabilities were underfunded by £125,687,000 as at 31 March 2019);
  - (ii) each Borough's agreement and responsibility for the Category A Liabilities shall be documented and set out in this Agreement;
  - (iii) the Category A Liabilities will be apportioned to each Borough on the basis of the Proportionate Share;
  - (iv) as the Current Levy Share starts to reduce, as set out in Recital N, this will enable the Boroughs to use their funding which they have set aside to meet the Current Levy Share to pay off the Proportionate Share;
  - (v) the Borough will pay an amount at least equal to the Payment Amount to the Administering Authority each year to pay off the Proportionate Share;

- (vi) the amount of the Category A Liabilities will be revalued at each triennial valuation and will be notified to the Borough, along with that Borough's Category A Liabilities Proportionate Share; and
  - (vii) the relevant payments by each Borough will be made every year until the Borough's share of the Category A Liabilities have been paid in full. The Category A Liabilities will only be discharged in respect of each Borough under this Agreement if the relevant Borough has paid off in full its share of the Category A Liabilities.
- (Q) However, the Administering Authority recognises that some Boroughs may wish to agree alternative arrangements in respect of how to fund its Proportionate Share. The Administering Authority will discuss such proposals with the Boroughs who wish to make alternative arrangements, however, this is on the basis that at least the Payment Amount is paid to the Administering Authority to pay off the Proportionate Share within the Scheme Year in which this Agreement is signed.
- (R) The Administering Authority and the Boroughs have agreed to enter into this Agreement to confirm the agreed position in respect of the Category A Liabilities.
- (S) This Agreement has been signed by the Administering Authority's Chief Executive Officer without affixing the Administering Authority's common seal in the presence of a witness due to the Government's social distancing measures in light of the Covid-19 pandemic, in accordance with delegated authority from the Administering Authority's Board.

**NOW IT IS AGREED** as follows:

## 1. Interpretation

### 1.1 The following expressions have the following meanings:

<b>"2013 Regulations"</b>	the Local Government Pension Scheme Regulations 2013.
<b>"Actuary"</b>	an actuary appointed by the Administering Authority.
<b>"Category A Liabilities"</b>	liabilities to the Fund as a result of the events as set out in Recitals C to H of this Agreement.
<b>"Category B Liabilities"</b>	liabilities in respect of which the Relevant Legislation allows the Administering Authority to issue levies and demand payment from the Boroughs in respect of the unfunded liabilities, such as administration costs and asbestos claims relating to GLC/ILEA.
<b>"Current Levy Proportion Basis"</b>	the proportion that each Borough pays based on the 2016/17 Council Tax Base with: <ul style="list-style-type: none"> <li>(i) a Greater London spread for group 1 (in respect of the former GLC/LRB staff); and</li> <li>(ii) an Inner London spread for group 2 (in respect of the former ILEA staff)</li> </ul> as set out in the Relevant Legislation.
<b>"Current Levy Share"</b>	means each Borough's individual levy share in relation to the Category B Liabilities calculated in

	accordance with the Current Levy Proportion Basis, as formally notified to the Boroughs on 14 February each year, and the payments in respect of which are collected by the Greater London Authority on behalf of the Fund and then paid into the Fund's account each month.
<b>"Current Total Levy"</b>	the levy currently in place in respect of the Category B Liabilities which is payable by the London Boroughs (totalling £23,380,000) as at January 2021.
<b>"Payment Amount"</b>	the difference between the Current Levy Share amount as it stands at the date of this Agreement and each year's subsequent Current Levy Share. The Payment Amount would be nil if there is no underfunding for the Category A Liabilities.
<b>"Proportionate Share"</b>	means each Borough's proportionate share in relation to the underfunding in respect of the Category A Liabilities calculated in accordance with the Current Levy Proportion Basis (the percentages in relation to which are set out in <b>Schedule 1</b> ).
<b>"Effective Date"</b>	the date of this Agreement.
<b>"Fund"</b>	the London Pensions Fund Authority's Pension Fund.
<b>"GLC Fund"</b>	the GLC's LGPS Fund, which was operated by the GLC. For the avoidance of doubt, the GLC Fund is no longer in existence.
<b>"Inner London Boroughs"</b>	means the following Boroughs: London Borough of Camden; London Borough of Greenwich; London Borough of Hackney; London Borough of Hammersmith & Fulham; London Borough of Islington; Royal Borough of Kensington & Chelsea; London Borough of Lambeth; London Borough of Lewisham; London Borough of Southwark; London Borough of Tower Hamlets; London Borough of Wandsworth; City of Westminster and the City of London
<b>"Levy Regulations"</b>	the Levying Bodies (General) Regulations 1992.
<b>"Registered Pension Scheme"</b>	a pension scheme registered under Chapter 2 of Part 4 of the Finance Act 2004.
<b>"Relevant Legislation"</b>	section 69 of the Local Government Finance Act 1988, the London Government Reorganisations (Pensions) Order 1989 and the Levy Regulations and any other relevant powers or regulations that may be applicable.
<b>"Regulations"</b>	the 2013 Regulations and the Transitional Regulations.
<b>"Scheme"</b>	the Local Government Pension Scheme established and governed by the Regulations.

- "Scheme Year"** a year beginning on a 1 April and ending on the next 31 March.
- "Successor Fund"** the appropriate Borough's fund which that employee was transferred to on GLC's abolition.
- "Transitional Regulations"** the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014.
- 1.2 Expressions have the same meaning as in the Regulations except where the context otherwise requires.
- 1.3 This Agreement includes a heading at the start of each Clause which outlines its provisions. These are included for information only.
- 1.4 Any reference in this Agreement to any statute or statutory provision will include any subordinate legislation made under it and, except as provided in **Clause 4.2** (Change in the Current Levy Proportion Basis), will be construed as a reference to such statute, statutory provision and/or subordinate legislation as modified, amended, extended, consolidated, re-enacted and/or replaced and in force from time to time.
- 1.5 Words such as "in particular", "includes" or "including" shall not limit the generality of the words preceding them.
2. **Effective Date**
- This Agreement shall have effect on and from the Effective Date.
3. **Category B Liabilities**
- The parties agree and confirm that each Borough remains responsible for its share of the Category B Liabilities under the Relevant Legislation. Nothing in this Agreement prejudices the obligations in respect of the Category B Liabilities.
4. **Category A Liabilities**
- 4.1 **Calculation of the Proportionate Share**
- 4.1.1 The Proportionate Share will be calculated by the Actuary at each triennial valuation based on the Current Levy Proportion Basis. The Proportionate Share will be notified in writing to the Borough by 14 February each year.
- 4.1.2 The Proportionate Share in respect of each of the Boroughs as at 31 March 2019 is set out in **Schedule 1** to this Agreement.
- 4.1.3 Without prejudice to **Clause 10** (Waiver), in the event that the Proportionate Share is not calculated and notified within the timescales as set out above for any reason, this shall not be construed nor shall it be deemed to be a waiver of the Administering Authority's rights in respect of this.
- 4.2 **Change in the Current Levy Proportion Basis**
- 4.2.1 If the proportions change under the Relevant Legislation without the Relevant Legislation being amended, this will not impact upon the Current Levy Proportion Basis.
- 4.2.2 If the Relevant Legislation is amended which may impact on the Current Levy Proportion Basis, such amendments will not impact upon the proportions

payable by the Boroughs unless the Administering Authority otherwise determines.

#### 4.3 **Responsibility for the Proportionate Liability Share**

- 4.3.1 The parties agree and confirm that each Borough is responsible and continues to be responsible under this Agreement for its Proportionate Share until it has been paid in full.
- 4.3.2 For the avoidance of doubt, each Borough's Proportionate Share, as set out in **Schedule 1**, represents the Proportionate Share as at 31 March 2019. This will be revalued at each triennial valuation. Each Borough will be responsible for the amount as revalued at each triennial valuation and will have to fund this in accordance with **Clause 4.4** below.

#### 4.4 **Funding the Proportionate Share**

- 4.4.1 Each Borough agrees to pay an amount at least equal to the Payment Amount to the Administering Authority to pay off the Proportionate Share each year on such payment dates as the Current Levy is required to be paid. The Administering Authority will be responsible for notifying the Boroughs of their relevant Proportionate Share, the relevant Payment Amount, and the process for payment of the relevant amount in line with existing arrangements for Current Levy Share payments or by such other arrangement or agreement between the Boroughs and the Administering Authority.
- 4.4.2 The payments which are made by each Borough in accordance with **Clause 4.4.1** will be credited to the Fund and set against the relevant Borough's Proportionate Share.
- 4.4.3 The payment made in accordance with the above **Clause 4.4.1** will continue to occur every year until the Proportionate Share has been paid in full. Each Borough's liability under this Agreement shall cease when its Proportionate Share has been paid in full.
- 4.4.4 For the avoidance of doubt:
  - 4.4.4.1 nothing in this Agreement prejudices any other agreement between the Administering Authority and the Borough, payment or obligation or obligations of the Borough in respect of other and any remaining liabilities (whether required by the Regulations, Relevant Legislation or by any other legislation or otherwise) ; and
  - 4.4.4.2 by entering into this Agreement the parties are not waiving any rights and/or entitlements in respect of or under the Regulations, Relevant Legislation, or other legislation.

#### 5. **Revaluation of the Category A Liabilities**

For the avoidance of doubt:

- 5.1 the amount of the Category A Liabilities will be revalued by the Actuary at each triennial valuation.
- 5.2 the amount of the Category A Liabilities will be notified to the Borough, along with the Proportionate Share and Payment Amount each year; and
- 5.3 the payments will be made every year until the Borough's share of the Category A Liabilities have been paid in full.

6. **Interest on Late Payment**

If any sum payable by the Borough under this Agreement remains unpaid, the Administering Authority may require the Borough to pay interest on the unpaid sum, at the same rate and on the same terms as payable in respect of the Current Levy Share.

7. **Notices**

All notices under this Agreement shall be in writing and shall be served by sending the same by first class post, facsimile or by hand or leaving the same at the headquarter address of the Administering Authority or the Borough (as the case may be).

8. **Dispute Resolution**

8.1 **Restriction on litigation**

8.1.1 Except as set out in **Clause 8.5**, no party may commence proceedings in relation to a dispute that arises out of or in connection with this Agreement unless that party has:

- (a) served notice (a "**Referral Notice**") on the other party notifying it of the relevant dispute; or
- (b) already received a Referral Notice from another party in relation to the same dispute.

8.1.2 For the avoidance of doubt, no party may raise a dispute under this **Clause 8** except in relation to an invoice raised by the Administering Authority under this Agreement.

8.1.3 Nothing in this **Clause 8** will prevent the Administering Authority from exercising its statutory powers under the Local Government Act 1985, Greater London Authority Act 1999 or any other statute or under the Levy Regulations or any other subordinate legislation, in particular the ability of the Administering Authority to levy the Boroughs in respect of any deficit in the Fund.

8.2 **Resolution process – Stage 1**

Following service of a Referral Notice, each party must respectively procure that the relevant dispute is referred for resolution to its appropriate representative as set out in the following table:

Party	Stage 1 representative
Each Borough	any person of a level notified by the respective Borough to the Administering Authority (such notification to be made within 14 Business Days of the Effective Date)
Administering Authority	Funding and Risk Director or any other Principal Officer nominated by the Chief Executive Officer.

Those representatives must meet at the earliest convenient time and in any event within 10 Business Days of the date of service of the Referral Notice, and must negotiate in good faith and attempt to resolve the dispute.

### 8.3 Resolution process – Stage 2

If a dispute has not been resolved within 15 Business Days of the date of service of the relevant Referral Notice, each party must respectively procure that the dispute is referred for resolution to its appropriate representative as set out in the following table:

Party	Stage 2 representative
Each Borough	any person of a level notified by the respective Borough to the Administering Authority (such notification to be made within 14 Business Days of the Effective Date)
Administering Authority	Chief Executive Officer or any Principal Officer nominated by the Chief Executive Officer (excluding the stage 1 representative).

Those representatives must meet at the earliest convenient time and in any event within 25 Business Days of the date of service of the Referral Notice, and must negotiate in good faith and attempt to resolve the dispute.

### 8.4 External resolution processes

- (a) Regardless of whether **Clauses 8.2** and **8.3** have been complied with, if a dispute is not resolved within 30 Business Days of service of the relevant Referral Notice any party may commence proceedings in accordance with **Clause 14** or, if the affected parties agree in writing to do so, the parties must attempt to settle the dispute by mediation in accordance with the CEDR Model Mediation Procedure. Any party may withdraw from a mediation at any time.
- (b) The provisions of this **Clause 8.4** do not affect any right that any party may have to damages in respect of a breach by another party of **Clauses 8.2** and **8.3**.

### 8.5 Preservation of rights

8.5.1 Nothing in this **Clause 8** will prevent or delay any party from:

- (a) seeking orders for specific performance, interim or final injunctive relief;
- (b) exercising any rights it has to terminate this Agreement; or
- (c) commencing proceedings where this is necessary to avoid loss of a claim owing to the rules on limitation of actions.

### 9. Waiver

Failure or neglect by the Administering Authority to enforce at any time any of the provisions of this Agreement or to use its powers under the Regulations, Relevant Legislation, any other legislation or otherwise shall not be construed, nor shall it be deemed to be a waiver of the Administering Authority's rights nor in any way affect the validity of the whole or any part of this Agreement nor its wider powers nor prejudice the Administering Authority's rights to take subsequent action.

### 10. Severance

- 10.1 If any provision of under this Agreement shall be found by any court or administrative body of competent jurisdiction to be invalid or unenforceable, such invalidity or unenforceability shall not affect the other provisions of this Agreement which shall remain in full force and effect.



- 10.2 If any provision of this Agreement is so found to be invalid or unenforceable but would be valid or enforceable if some part of the provision were deleted the provision in question shall apply with such modification(s) as may be necessary to make it valid and enforceable.

11. **Entire Agreement**

Except where expressly provided and always subject to the Administering Authority's powers under the Regulations, Relevant Legislation, any other legislation or otherwise, this Agreement constitutes the entire agreement between the parties in connection with its subject matter and supersedes all prior representations, communications, negotiations and understandings concerning the subject matter of this Agreement.

12. **Amendment**

- 12.1 The parties to this Agreement may, with the agreement of all of them in writing, amend this Agreement by deed provided that:

12.1.1 the amendment is not such that it would breach the Regulations or any other legal or regulatory requirements applicable to the Scheme; and

12.1.2 the amendment would not prejudice the status of the Scheme as a Registered Pension Scheme.

13. **More than one Counterpart**

This Agreement may be executed in more than one counterpart, which together constitute one agreement. When each signatory to this Agreement has executed at least one part of it, it will be as effective as if all the signatories to it had executed all of the counterparts. Each counterpart Agreement will be treated as an original.

14. **Laws**

- 14.1 This Agreement will be governed by and interpreted in accordance with the laws of England and Wales.

- 14.2 Any rights that a third party may have under the Contracts (Rights of Third Parties) Act 1999 are excluded.

**EXECUTED** as a deed and delivered on the date stated at the beginning of this Agreement.

**EXECUTED** as a deed on behalf of  
**THE LONDON PENSIONS FUND AUTHORITY**  
acting by its Chief Executive Officer

**Chief Executive Officer**

In the presence of  
Witness name:  
Witness signature:

**EXECUTED** as a deed by  
affixing **THE COMMON SEAL** of  
**THE MAYOR AND COMMONALTY**  
**AND CITIZENS OF THE CITY OF LONDON**  
in the presence of:

**Authorised Officer**

**SCHEDULE 1**  
**Proportionate Share for each London Borough**

<b>Employer name</b>	<b>Proportionate Share expressed as a % of the total</b>	<b>Proportionate Share 31 March 2019 expressed as a monetary amount</b>
London Borough of Barking & Dagenham	0.72%	£899,000.00
London Borough of Barnet	2.12%	£2,660,000.00
London Borough of Bexley	1.23%	£1,549,000.00
London Borough of Brent	1.40%	£1,754,000.00
London Borough of Bromley	1.98%	£2,489,000.00
London Borough of Camden	5.92%	£7,438,000.00
London Borough of Croydon	1.84%	£2,315,000.00
London Borough of Ealing	1.71%	£2,149,000.00
London Borough of Enfield	1.48%	£1,854,000.00
London Borough of Greenwich	5.00%	£6,284,000.00
London Borough of Hackney	4.48%	£5,632,000.00
London Borough of Hammersmith & Fulham	4.98%	£6,259,000.00
London Borough of Haringey	1.13%	£1,419,000.00
London Borough of Harrow	1.28%	£1,612,000.00
London Borough of Havering	1.34%	£1,680,000.00
London Borough of Hillingdon	1.50%	£1,883,000.00
London Borough of Hounslow	1.25%	£1,576,000.00
London Borough of Islington	5.07%	£6,368,000.00
Royal Borough of Kensington & Chelsea	6.38%	£8,021,000.00
Royal Borough of Kingston Upon Thames	0.94%	£1,186,000.00
London Borough of Lambeth	6.78%	£8,519,000.00
London Borough of Lewisham	5.26%	£6,615,000.00
London Borough of Merton	1.12%	£1,402,000.00
London Borough of Newham	1.12%	£1,405,000.00
London Borough of Redbridge	1.30%	£1,638,000.00
London Borough of Richmond-upon-Thames	1.36%	£1,705,000.00
London Borough of Southwark	6.14%	£7,711,000.00
London Borough of Sutton	1.10%	£1,387,000.00
London Borough of Tower Hamlets	5.62%	£7,058,000.00
London Borough of Waltham Forest	1.12%	£1,413,000.00
London Borough of Wandsworth	8.46%	£10,632,000.00
City of Westminster	8.42%	£10,580,000.00
City of London	0.47%	£595,000.00
<b>Total</b>		<b>£125,687,000.00</b>

**SCHEDULE 2**  
**List of parties to Pensions Agreement**

<b>Name of London Borough</b>	<b>Address of London Borough</b>
London Borough of Barking & Dagenham	Town Hall, 1 Town Square, Barking, IG11 7LU
London Borough of Barnet	Building 4, North London Business Park, Oakleigh Road, South London, N11 1NP
London Borough of Bexley	Civic Offices, 2 Watling Street, Bexleyheath, Kent, DA6 7AT
London Borough of Brent	Brent Council, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ
London Borough of Bromley	Bromley Council, Civic Centre, Stockwell Close, Bromley BR1 3UH
London Borough of Camden	5 Pancras Square, London N1C 4AG
London Borough of Croydon	Croydon Council, Bernard Weatherill House, 8 Mint Walk, Croydon, CR0 1EA
London Borough of Ealing	Revenues, London Borough of Ealing, PO Box 1344, Ealing, W5 2BY
London Borough of Enfield	Civic Centre, Silver Street Enfield, EN1 3XA
London Borough of Greenwich	The Woolwich Centre, Wellington Street, Woolwich, SE18 6HQ
London Borough of Hackney	Hackney Service Centre, 1 Hillman Street, London, E8 1DY
London Borough of Hammersmith & Fulham	Hammersmith Town Hall, Hammersmith, London, W6 9JU
London Borough of Haringey	St Ann's Hospital, St Ann's Road, Tottenham, London, N15 3TH
London Borough of Harrow	Civic Centre, Station Road, Harrow, HA1 2XY
London Borough of Havering	London Borough of Havering, Town Hall, Main Road, Romford, RM1 3BD
London Borough of Hillingdon	Civic Centre, High Street, Uxbridge, Middlesex, UB8 1UW
London Borough of Hounslow	London Borough of Hounslow, Civic Centre, Lampton Road, Hounslow, TW3 4DN
London Borough of Islington	Islington Customer Centre, 22 Upper Street, London, N1 1XR
Royal Borough of Kensington & Chelsea	The Town Hall, Hornton Street, London, W8 7NX
Royal Borough of Kingston Upon Thames	Guildhall 2, High Street, Kingston upon Thames, KT1 1EU
London Borough of Lambeth	Town Hall, Brixton Hill, Lambeth, SW2 1RW
London Borough of Lewisham	London Borough of Lewisham, Laurence House, 1 Catford Road, SE6 4RU
London Borough of Merton	London Borough of Merton, Civic Centre, London Road, Morden, SM4 5DX
London Borough of Newham	London Borough of Newham, Newham Dockside, 1000 Dockside Road, London, E16 2QU
London Borough of Redbridge	Lynton House, 255-259 High Road, Ilford, IG1 1NN
London Borough of Richmond-upon-Thames	Civic Centre, 44 York Street, Twickenham, TW1 3BZ
London Borough of Southwark	Southwark Council, PO BOX 64529, London, SE1P 5LX
London Borough of Sutton	Civic Offices, St Nicholas Way, Sutton, SM1 1EA
London Borough of Tower Hamlets	Tower Hamlets Council, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG
London Borough of Waltham Forest	London Borough of Waltham Forest, Town Hall, Forest Road, London, E17 5JF
London Borough of Wandsworth	The Town Hall, Wandsworth High Street, London, SW18 2PU
City of Westminster	Westminster City Hall, 64 Victoria Street, London, SW1E 6QP
City of London	City of London Corporation, Guildhall, PO Box 270, London EC2P 2EJ

<b>Committee(s):</b> Policy and Resources – For decision	<b>Dated:</b> [Meeting Date] 5 May 2022
<b>Subject:</b> Guildhall Complex Refurbishment Options Member Consultation	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	1, 2, 3, 8, 9, 10, 11. 12
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	<b>N/A</b>
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>N/A</b>
<b>Report of: City Surveyor</b>	For Decision
<b>Report author: Fiona McKeith, Head of Corporate Development Management</b>	

## Summary

Committees approved in January 2022 the Guildhall Complex Refurbishment Options GW2 proposal to progress an options analysis in respect to the refurbishment of North and West Wings, including the potential commercial redevelopment of the North Wing in order to defray the cost of the West Wing works.

This stage of the project requires co-ordinating engagement across City of London Corporation (COL) departments and Members to develop the vision for the future Guildhall Complex and respective business requirements within a tight timeframe in order to assess the high level options developed by the design team in June, ahead of formal decision making in September.

In order to support this activity, consultation with key Members is necessary.

## Recommendation(s)

Members are asked to:

- Authorise the City Surveyor to consult with Members as shown in paragraph 10 of the report for the purpose of developing the vision of the future Guildhall Complex and respective business requirements;
- Note that formal decision making will come back to Committee in September

## **Main Report**

### **Background**

1. The Guildhall Refurbishment project proposal is to refurbish and/or extend the Guildhall North & West Wings and the CII Building to deliver a future Guildhall which meets the City of London Corporation (COL) Corporate Plan objectives, climate action targets and business requirements alongside creating modern fit-for-purpose accommodation for Members, officers and the public, in addition to a potential new commercial office and retail building, and enhanced public realm.
2. The key drivers for change are:-
  - Poor environmental performance and future repair and building renewal requirements,
  - Opportunity to contribute towards CoL's Climate Action Strategy to achieve net zero emissions target by 2027 across the Corporate Estate,
  - Inefficient use of space (post -covid),
  - New ways of working for officers and members.
3. The Gateway 2 Paper provided approval to undertake a high level feasibility study of the following options:
  - 1a. Full refurbishment of the North and West Wings, phased floor by floor;
  - 1b. Full refurbishment of the North and West Wings, phased building by building;
  2. Refurbishment and extension of the West Wing and refurbishment of 20 Aldermanbury for corporate occupation; demolition of the North Wing and 21 Aldermanbury and replacement with a commercial office and retail building (re-sited further north and incorporating 65/65A Basinghall Street) to enable the development of a of new public square overlooking north façade of the Great Hall.

### **Current Position**

4. Subsequent to this, the multi-disciplinary team was appointed in early April. The design team at this stage will generate a range of high level options based on constraints, including Planning, the Listing of West Wing, services as well as operational constraints such as security.
5. The next programme milestone will be to present to the Executive Leadership Board and Members respectively in June followed by a formal Member decision on a recommended option in September 2022.
6. Following this a full public procurement exercise will be undertaken to secure the design team for the recommended option development through to planning and delivery 2026-28, subject to the scope of the selected option.

### **Proposal**

7. As described above, the outputs of this stage of the project will be a range of proposed property solutions. These will need to be assessed against the corporate strategic business requirements drawn from the parallel workstream of engagement across COL departments and Members.
8. The Guildhall Refurbishment project provides an opportunity to be an exemplar within the Square Mile, integrating the corporate strategic business requirements into an Environment Social and Governance (ESG) framework.
9. Engagement with Members is required in order to provide oversight and direction for the development of the project's ESG framework, as well as the forum to clarify the Members' operational requirements. Most importantly it will also support in developing the vision for the future Guildhall Complex which will be required for the subsequent stage of the project.
10. It is proposed that the following Members are consulted with:-
  - The Chairman of the Policy and Resources Committee (or his/her representative)
  - The Deputy Chairman of the Policy and Resources Committee (or his/her representative)
  - The Chairman of Finance (or his/her representative)
  - The Chairman of Operational Property and Project Sub, (or his/her representative)
  - The Chairman of Establishment, (or his/her representative)

## **Conclusion**

11. The Guildhall Refurbishment project is at an early feasibility stage and will generate options that need to be assessed against financial viability as well as business requirements and social value outcomes. The proposed Member consultation provides an efficient forum to engage appropriate Members within a critical timeframe and for officers to gain strategic direction.

## **Background Papers**

Guildhall Complex – Refurbishment Options for the North and West Wings GW2  
Proposal November 2021

## **Fiona McKeith**

Head of Corporate Development Management,  
City Surveyors Department

T: 07542 230 421

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<b>Committee:</b> Policy & Resources Committee – for decision Court of Common Council – for decision	<b>Dated:</b> 05/05/2022 19/05/2022
<b>Subject:</b> Members' Code of Conduct – Complaints Procedure and ancillary matters from the Panel of Independent Persons.	Public
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	1, 5, 8, 10
<b>Does this proposal require extra revenue and/or capital spending?</b>	N
<b>If so, how much?</b>	N/A
<b>What is the source of Funding?</b>	N/A
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	N/A
<b>Report of:</b> The Town Clerk & Chief Executive and the Comptroller & City Solicitor	<b>For Decision</b>
<b>Report author:</b> Gemma Stokley, Principal Governance and Member Services Officer	

## Summary

Following the submission of Lord Lisvane's Review of the City Corporation's Governance in September 2020, a resolution of the Court of Common Council (8 October 2020) had the effect that consideration of aspects of the Review relating to the Standards Regime would need to be taken first and, as such, following extensive engagement with Members, the Court were able to consider and approve a number of proposals in relation to Standards made by Lord Lisvane at its 14 January 2021 meeting and authorised the Town Clerk to take such actions as were required to give effect to the decisions taken and facilitate their implementation.

Members will recall that nine Members of a new Independent Panel were appointed by the Court in Summer 2021 on the recommendation of the Independent Persons Appointment Panel (consisting of the Chair of Policy & Resources, the Chief Commoner, and the Chair of the General Purposes Committee of Aldermen). Since that time, the Panel have met on several occasions, focusing primarily on the production of a revised Complaints Procedure which has been in force since the beginning of February and is formally presented today. Alongside this, the Panel have submitted a letter to the City Corporation asking that consideration now also be given to a number of ancillary matters that have emerged as they have worked through the process. These include matters such as Panel size and terms of office for Panel Members

## Recommendations

Members are asked to:

1. Note the new Complaints Procedure as set out in Appendix One.
2. Note the proposed Terms of Reference for the Panel as set out in Appendix Two.
3. Give consideration to the ancillary matters raised by the Panel in their letter to the City Corporation at Appendix Three and decide how best to proceed on these ahead of making recommendations thereon to the Court of Common Council.
4. Consider how best Common Councillors might be appointed to assist the Panel at the Appeal stage of any complaints by advising on contextual matters and make recommendations thereon to the Court of Common Council.

## **Main Report**

### **Background**

#### *Creation of an Independent Panel*

1. Lord Lisvane's recommendations pertaining to Standards included a recommendation *"that the Corporation should set up an Independent Panel composed only of independent persons, and charge that Panel with:*
  - *receiving allegations of misconduct referred to it by the Monitoring Officer;*
  - *deciding whether any allegation should be investigated;*
  - *on the basis of the allegation, determining whether there has been a breach of the code of Conduct;*
  - *reporting that determination, together with a full report of the facts, to the Court for endorsement;*
  - *hearing any appeal (the appeal function will of course need to be separated rigorously from the assessment and determination function)*
  - *after determination, and appeal if necessary, recommending an appropriate sanction, giving reasons, as necessary."*

#### *Process*

2. The Court of Common Council, at its 14 January 2021 meeting, endorsed this proposal as well as the adoption of Lisvane's recommendations in the form of a three-stage process, to be operated by the Independent Panel:
  - The first stage to be a more informal / conciliatory nature, seeking to resolve swiftly those issues which might be addressed through dispute resolution or a conversation and apology (with external dispute resolution advice to be made available to the Panel as it deems appropriate and a suitable protocol produced for such stage to be produced).
  - The second stage to then be the formal Hearing process, utilising the Independent Panel, as outlined by Lisvane (i.e. determination of investigation and breach and reporting to the Court of Common Council for endorsement).

- The third stage to be the Appeal stage, the Panel for which should also include a minority of Members of the Court of Common Council, to help provide any relevant internal context.

It was decided that the Panel should be supported by the Comptroller & City Solicitor, as the Monitoring Officer, including in respect of the production of rules and procedures as time progresses, with clerking or administrative support also provided by the Town Clerk's department in the usual way.

### *Composition*

3. The Court also agreed with Lisvane's comments in relation to the need for a membership of sufficient size, to ensure that the sub-panels at the hearing and appeal stages could be comprised of entirely different Panel Members, although drawn from the same overall pool and directed that a panel of nine individuals, ought to be secured, utilising staggered terms to provide for both continuity and turnover.

### *Progress*

4. Nine Independent Persons were appointed by the Court of Common Council in Summer 2021. Since this time, the Panel have met on several occasions, supported by the Town Clerk and the Comptroller and City Solicitor as Monitoring Officer, to work up a new, fit for purpose, Complaints Procedure that is presented today ahead of its formal submission to the Court of Common Council. Alongside this process, several matters such as the size of the Panel and Terms of Office for Panel Members have arisen. These are set out within a letter to the Assistant Town Clerk (see Appendix Two) and your views on these matters are now therefore also sought.

### **Complaints Procedure and Independent Panel Terms of Reference**

The Members' Code of Conduct Complaints Procedure now in operation is presented attached at Appendix One, alongside the proposed Terms of Reference for the Panel of Independent Persons (Appendix Two). The Terms of Reference stipulate that the Panel will commit to the publication of an Annual Report – it is proposed that this be produced at the end of each municipal year beginning in 2023 and its purpose will be to summarise the number and type of complaints heard in that period. We can report that, to date, the Panel have held two Assessment Sub-Panel meetings, each of these considering two separate complaints (so four complaints in total) and that the first Hearing Sub-Panel meeting is scheduled for mid-May.

The Panel have already elected their Chair for the ensuing year – Amanda Orchard, and their Deputy Chair Gary Rogers.

### **Ancillary Matters**

As the Panel have worked through the process of producing a new Complaints Procedure, a number of issues have arisen, it was therefore considered opportune to ask Members to now consider these alongside the new Procedure which helps to contextualise these. These matters are detailed in a letter from

the Panel to the City Corporation (attached at Appendix Three) and your views on each of these are now sought.

#### *Panel Size*

Given that the Panel are proposing a three-tier process for dealing with complaints, as advised by Lord Lisvane and supported by the Court of Common Council, they are of the view that the size of the Panel should be increased from nine to twelve in total. The reasoning behind this is explained in more detail within their letter to the Town Clerk at Appendix Three. However, to summarise, the Complaints Procedure stipulates that no Independent Person may sit on more than one sub-panel in relation to the same complaint and, essentially, a larger Panel is therefore felt necessary in order to allow for illness or other non-availability of a panel member or for instances where a panel member may need to recuse themselves for any other reason. A Subject Member is also entitled to consult with one of the Independent Persons, taking the total required on the Panel to at least ten. ***Should Members be supportive of this proposal, a recommendation thereon would need to be put to the Court of Common Council with the Town Clerk instructed to re-constitute the Independent Persons Appointment Panel (consisting of the Chair of Policy & Resources, the Chief Commoner, and the Chair of the General Purposes Committee of Aldermen) to progress a further round of recruitment to appoint additional Panel Members. The Panel ask that consideration also be given to one of their number joining the Appointment Panel on this occasion so that they might feed into the advertisement and recruitment process, helping to identify any current gaps in terms of skills sets.***

#### *Panel Terms of Office*

Given that a large part of their first year in office has been dedicated to working up a new Complaints Procedure and that their first experience of considering complaints under this new procedure only came in February 2022, the Panel are requesting that terms of Office for the nine Independent Persons already in post be extended by one year to allow them to begin to oversee the operation of this and have adequate time to reflect upon and share any lessons learned. Thereafter, it is recognised that Panel members will be appointed on staggered terms and with a fixed term of office of two years, renewable twice, as approved by the Court and in order to ensure a regular turnover of Panel membership. ***Members views are now also sought on this proposal so that a recommendation thereon may be presented to the Court of Common Council.***

#### *Panel Member Training*

The Panel noted that the Lisvane Report recommended that Members appointed to a Committee should, as a matter of best practice, undertake certain professional training in diversity. The recommendation was essentially for Members to undertake the same mandatory learning as Officers.

The Panel have indicated that they would also welcome the opportunity to support the Corporation in role modelling best practice in respect of undertaking professional training in matters such as diversity. In keeping with the spirit of the Lisvane Report, the Panel consider it would therefore be appropriate for all Independent Persons to at least have the opportunity to undertake such training and for this to be periodically refreshed.

***It is hoped that Members will be supportive of this request and that the necessary arrangements for such training can be actioned by the Town Clerk in consultation with Corporate HR thereafter.***

#### *Former Panel Members as Consultees*

Whilst not an immediate priority, the Panel are of the view that it may, in due course, be advisable to have a secondary “panel” of former Independent Persons who would be available for consultation by the subject Member of any complaint as to the working, procedures and processes of the panel. ***We are hopeful that Members will be supportive of the introduction of this process and agree that this would be valuable so that a system whereby those standing down from the Panel may still be called upon for this purpose.***

#### **Appeal Procedure**

When initially considering the Lord Lisvane recommendations pertaining to Standards, the Court directed that the Panel for Appeal should also include ‘a minority of Members of the Court of Common Council, to help provide any relevant internal context’. However, no further direction was provided as to how many elected Members should be called upon and how they were to be selected for this purpose.

You will note that paragraph 6 of the new Complaints Procedure recognises the need for the Appeal Panel to be assisted by an elected member, appointed by the Town Clerk, to advise on contextual matters. ***However, further consideration should now be given by Members as to how they wish to operate a process for the appointment of Members to the Appeal stage of any complaint.*** One option would be to delegate the appointment of Members to the Town Clerk, in consultation with the Chair of the Independent Panel, another would be for the Court to elect a body of Members for this purpose annually and for a number of these to be selected by rota whenever an Appeal arises.

***Again, any recommendation on this matter will need to be put to the Court of Common Council for formal adoption.***

#### **Conclusion**

Members are asked to note the new Members’ Code of Conduct Complaints Procedure now in operation as set out in Appendix One and the Panel’s Terms of Reference. They are also requested to now provide some direction as to the

appointment of Common Councillors to the Appeals Procedure as well as a number of other ancillary matters raised by the Panel as set out in Appendix Three and discussed further within this report. The Policy and Resources Committee is asked to make any recommendations thereon to the Court of Common Council.

## **Appendices**

- Appendix 1: Members' Code of Conduct – Complaints Procedure
- Appendix 2: Panel of Independent Persons – Terms of Reference
- Appendix 3: Letter from Panel of Independent Persons

## **Contact**

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In force from 2 February 2022.



# **HOW COMPLAINTS SUBMITTED TO THE CITY OF LONDON CORPORATION RELATING TO THE MEMBER CODE OF CONDUCT WILL BE DEALT WITH**

## **INTRODUCTION**

1. The Localism Act 2011 requires the City of London Corporation (“the Corporation”) to have in place arrangements under which written allegations of a breach of the member code of conduct can be investigated and decisions on those allegations taken. These arrangements apply to both elected members and co-opted members.
2. The Localism Act 2011 only applies to the Corporation in its capacity as a local authority or police authority. The Corporation has, however, chosen to apply the member code of conduct and these arrangements to all of its functions.

## **THE PANEL OF INDEPENDENT PERSONS**

3. The Corporation must appoint at least one Independent Person under the Localism Act 2011 whose views:
  - (i) must be sought, and taken into account, by the Corporation before it makes its decision on an allegation that it has decided to investigate;
  - (ii) may be sought by the Corporation in relation to an allegation in other circumstances;
  - (iii) may be sought by a member against whom an allegation has been made (“the subject member”).
4. The Corporation has decided to appoint a panel of Independent Persons (“the Independent Panel”) and to give them an enhanced and expanded role in overseeing the complaints process. Whilst the Independent Persons cannot be formal decision-makers under the relevant legislation, the Town Clerk and the Monitoring Officer have delegated authority to implement certain recommendations of the Independent Panel, where indicated in this procedure. If they disagree with a recommendation of the Independent Panel then they must refer the matter to the Court of Common Council. Any recommendation following a hearing or appeal, that concerns a breach of the code of conduct and an appropriate sanction, will automatically be referred to the Court of Common Council for decision, as set out in this procedure. All of the Independent Persons will be of equal stature but they will select a chair from time to time to liaise on their behalf with the Corporation. The Independent Panel will provide an annual report to the Court of Common Council on all of the complaints that it has considered during the year.

## **SUB-PANELS**

5. In the interests of fairness and efficiency, the Independent Panel will operate through a different sub-panel for each stage of the process as follows:
  - (i) Assessment Panel;
  - (ii) Hearing Panel;



(iii) Appeal Panel.

6. Each sub-panel will consist of three Independent Persons, appointed by the Town Clerk in consultation with the Independent Panel. They may meet physically or virtually, or in a hybrid fashion. Each sub-panel will elect a chair and make recommendations based on a simple majority vote. No Independent Person may sit on more than one sub-panel in relation to the same complaint. Each sub-panel will receive administrative support from the Town Clerk and legal advice from the Monitoring Officer. In addition, the Appeal Panel will be assisted by an elected member, appointed by the Town Clerk, to advise on contextual matters.

## **PUBLIC ACCESS TO MEETINGS AND PAPERS**

7. Meetings of the sub-panels will apply the same provisions regarding public access to meetings as the Corporation's committees. Under section 100A of the Local Government Act 1972, meetings shall be open to the public except to the extent that they are excluded. The public may be excluded from a meeting during an item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information. For more information on exempt information see Appendix 1.
8. Meetings of the sub-panels will also be treated as subject to the same provisions regarding public inspection of agendas, reports, background papers and minutes as the Corporation's committees, under sections 100B-100D of the Local Government Act 1972. However, the Corporation is not required to disclose to the public any document or part of a document that contains exempt information.

## **SUBJECT MEMBER CONSULTING WITH INDEPENDENT PERSON**

9. A subject member is entitled to consult confidentially with an Independent Person at any stage in the complaints process. The Town Clerk will appoint one of the Independent Persons for this purpose on request, in consultation with the Independent Panel. This will be an Independent Person who has not been and will not be involved in the determination of the complaint, at any stage, and they will be available to support the subject member throughout the complaints process.

## **CONFLICTS OF INTEREST**

10. It is envisaged that the enhanced use of the Independent Panel will limit the possibility for conflicts of interest to arise. No individual (whether an Independent Person, elected member or officer) shall participate in the consideration of a complaint where there is a real or perceived risk of bias, or if they have, or might be reasonably perceived to have, a conflict of interest. This will include declared interests, personal involvement or the involvement of a family member or close associate. A conflict would not normally arise from mere acquaintance, or the sort of relationship that usually exists between members and/or officers of the Corporation.

## **COMPLAINTS**

11. This complaints process is publicised on the complaints and corporate governance pages of the Corporation website and explains where code of conduct complaints should be sent. A copy of the complaint form can be accessed via the Corporation's website or can be requested from the Principal Committee & Member Services Manager, Town Clerk's Office (telephone 020 7332 1409). Formal complaints must be submitted in writing although this includes fax and electronic submissions. Help is available from the Town Clerk for people who might be disadvantaged by this requirement.
12. The form covers the following matters:-
  - (i) Complainant's name, address and contact details;
  - (ii) Complainant's status i.e. fellow member, member of the public or officer;
  - (iii) Who the complaint is about;
  - (iv) Details of the alleged misconduct including, where possible, the paragraphs of the code of conduct that have been breached, dates, witness details and other supporting information;
  - (v) A warning that the complainant's identity and a copy of the complaint will normally be disclosed to the subject member, unless there are exceptional circumstances.
13. Once a complaint relating to the code of conduct is received, it will be passed to the Assessment Panel for initial assessment. A complainant may, at any stage, withdraw their complaint with the consent of the Monitoring Officer, acting in consultation with the relevant sub-panel. Consent will only be withheld where there is a genuine public interest in continuing to consider the complaint in accordance with this procedure.

## **CONFIDENTIALITY**

14. Members who are complained about generally have a right to know who the complainant is and to be provided with a copy of the complaint. A complainant's identity or any details of their complaint are unlikely to be withheld unless there are exceptional circumstances, for example if the complainant has reasonable grounds for believing that they will be at risk of physical or other harm or detriment if their identity is disclosed. If the nature of the allegations warrant it, then anonymous complaints may also be considered in exceptional circumstances.
15. Requests for confidentiality or for suppression of complaint details should be included in the complaint form. The Assessment Panel will consider the request as a preliminary matter. Where it is not appropriate to give the subject member a full copy of the complaint, the Assessment Panel will consider whether it is possible to give them a summary or a redacted version of the complaint.

16. The Town Clerk will confirm any decision regarding confidentiality to the complainant. If the request for confidentiality is not granted, the complainant will usually be allowed the option of withdrawing their complaint. However, it is important that in certain exceptional circumstances, where the matter complained about is very serious, the Corporation can proceed with an investigation or other action and disclose a complainant's name even if they have expressly asked us not to. It may also be necessary in those circumstances to make a referral to another agency.
17. Where there is a reasonable suspicion that informing the subject member of a complaint may lead to an attempt to interfere with evidence or intimidate witnesses, the Town Clerk may defer notification to enable a proper investigation to take place.
18. Where issues around confidentiality do arise, the procedures as set out in this document shall be modified accordingly.

#### **ACTION FOLLOWING RECEIPT OF A COMPLAINT**

19. The Monitoring Officer will acknowledge receipt of a complaint within 10 working days. They may ask the complainant for clarification of their complaint if they are unable to understand the document submitted. They may also obtain further information to assist the Assessment Panel. This might include: copies of a declaration of acceptance of office form; minutes of meetings; a copy of a member's entry in the register of interests; information from Companies House or the Land Registry; and any other relevant and readily obtainable documents.
20. Subject to any issues of confidentiality, the Monitoring Officer will also provide the subject member with a copy of the complaint within the same timescale and invite them to provide any written response within a further 10 working days. The letter to the subject member will make it clear that they may seek the views of an Independent Person, should they so wish.

#### **INITIAL ASSESSMENT OF COMPLAINTS**

21. The Town Clerk will aim to convene the Assessment Panel within 30 working days from receipt of the complaint to consider the papers.

#### **ADMISSIBILITY OF COMPLAINTS – CAN ACTION BE TAKEN?**

22. The Assessment Panel will firstly satisfy itself that the complaint meets the following tests:-
  - (i) It is a complaint against one or more named members of the Corporation;
  - (ii) The named member was in office at the time of the alleged conduct and the code of conduct was in force at the time;

- (iii) The complaint, if proven, would be a breach of the code of conduct under which the member was operating at the time of the alleged misconduct;
  - (iv) The complaint is about something that happened or came to light within the last three months, or is connected to alleged misconduct within the last three months, unless there are reasonable grounds for the complaint not having been made within that time period.
23. If the complaint fails one or more of these tests, it cannot be investigated as a breach of the code and the complainant will be informed by the Town Clerk that no further action will be taken in respect of the complaint.

### **ASSESSMENT CRITERIA – SHOULD ACTION BE TAKEN?**

24. The Assessment Panel will then consider the following criteria when assessing admissible complaints and deciding what action, if any, should be taken:-
- (i) Has the complainant submitted enough information to satisfy the Assessment Panel that the complaint should be referred for investigation?
  - (ii) Is the complaint insufficiently serious to warrant further action – i.e. is it too minor a matter to warrant further investigation?
  - (iii) Does the complaint appear to be either malicious, politically motivated or vexatious? The Assessment Panel will consider whether the allegation is genuine and serious despite the motivation, or whether in fact it is reasonable to assume that it is not the expression in good faith of a genuine concern.
  - (iv) Has the complaint already been the subject of an investigation or other action relating to the code of conduct? Similarly, has the complaint been the subject of an investigation by other regulatory authorities? If so, what was the outcome of these processes and is the consideration of a new complaint appropriate?
  - (v) Is the complaint suitable for informal resolution or mediation?
25. These assessment criteria are intended to ensure that complaints are taken seriously and dealt with appropriately, whilst acknowledging that a decision to investigate a complaint or to take other action will expend public resources – an important consideration where the matter is relatively minor.

### **INITIAL ASSESSMENT DECISION**

26. Once the Assessment Panel has applied the assessment criteria it will then do one of the following:-
- (i) recommend that no action should be taken in respect of the complaint; or

- (ii) recommend training, conciliation, mediation or other appropriate alternative action (which, if unsuccessful, does not preclude a subsequent hearing); or
- (iii) request a formal investigation of the complaint in preparation for a hearing; or
- (iv) refer the matter directly to the Hearing Panel, if all of the facts are known and an investigation would not assist in determining the complaint.

## **NOTIFICATION OF INITIAL ASSESSMENT DECISIONS**

27. After the Assessment Panel has made its recommendation, the Town Clerk will write to the complainant and the subject member to confirm the decision and to advise them of the outcome within 10 working days. The decision letter will include the main points of the matter considered, the decision reached and the reasons for that decision.

## **ALTERNATIVE ACTION**

28. If alternative action is proposed, the Town Clerk will additionally seek written confirmation from all involved parties that they consent and will co-operate with the process. In this case, the letter to the parties should outline what is being proposed, why it is being proposed, why they should consent and what it is hoped to achieve. The Town Clerk will then make the necessary arrangements in consultation with the Assessment Panel.

## **INVESTIGATIONS**

29. Where the Assessment Panel has requested that an allegation should be formally investigated, the Monitoring Officer will appoint an investigator in consultation with the Assessment Panel. This may be an officer of the Corporation but will normally be an external investigator. The Monitoring Officer will write to the complainant and the subject member to advise them of the person who will be responsible for conducting the investigation.

## **INVESTIGATION PROCEDURE**

30. Investigations will be conducted in accordance with the relevant protocol, which is included at Appendix 2. They will be conducted in a timely fashion and should normally be concluded within 30 working days. The investigator will produce a report for the Hearing Panel, stating whether there is evidence of a breach of the code of conduct. The report will include all of the relevant evidence that the investigator has relied upon in coming to this conclusion.

## **HEARINGS**

31. The Town Clerk will aim to convene the Hearing Panel within 30 working days from receipt of the investigator's report, or within 30 working days of the referral from the Assessment Panel, if there is no investigation.

## **HEARING PROCEDURE**

32. It is important to remember that the hearing is not being held in a courtroom setting. Whilst the complainant and the subject member may be legally represented and they, or their representatives, will normally be allowed to put questions to any witnesses, this is at all times subject to the chair's discretion to manage the hearing in an inquisitorial rather than an adversarial manner. A copy of the hearing procedure is included at Appendix 3.

## **FINDINGS**

33. Following the hearing, the Hearing Panel will make a finding, on the balance of probabilities, whether the subject member has failed to comply with the code of conduct. If so, the Hearing Panel will also consider what sanctions, if any, ought to be imposed. This may be any one of or any combination of sanctions that are available, as set out below.

## **SANCTIONS**

34. Any sanctions imposed must be reasonable and proportionate in all of the circumstances. The available sanctions for a breach of the code of conduct are:-
- (i) censure;
  - (ii) withdrawal of Corporation hospitality for an appropriate period;
  - (iii) removal from one or more committees;
  - (iv) other action.

## **CENSURE**

35. Censure means a formal expression of severe disapproval, and is distinct from a simple finding that there has been a breach of the code of conduct.

## **WITHDRAWAL OF CORPORATION HOSPITALITY**

36. Corporation hospitality includes committee lunches and dinners, drinks receptions, state banquets, etc. This sanction will normally only be considered where relevant to the nature of the complaint.

## **REMOVAL FROM COMMITTEE**

37. The option of removal from a particular committee or committees includes sub-committees. This sanction will normally only be considered where relevant to the nature of the complaint.

## **OTHER ACTION**

38. There is no power to impose any alternative sanctions, although the willingness of a member to co-operate in the matters listed below may have a bearing on any sanction that is imposed:-
- (i) that the member submits a written apology in a form specified;
  - (ii) that the member undertakes specified training;
  - (iii) that the member participates in such conciliation as is specified.

## **NOTIFICATION OF HEARING DECISIONS**

39. If the finding of the Hearing Panel is that there has not been a breach of the code of conduct, the Town Clerk will write to the complainant and the subject member to confirm the decision and to advise them of the outcome within 10 working days. The decision letter will include the main points of the matter considered, the decision reached and the reasons for that decision.
40. If the finding of the Hearing Panel is that there has been a breach of the code of conduct, the Town Clerk will draft a report to the next meeting of the Court of Common Council for decision. The report will include the details of the matter considered, the recommendations of the Hearing Panel and the reasons for those recommendations, including any recommendations as to sanction. The Hearing Panel may also make a recommendation as to whether any formal announcement of the decision is called for, such as a statement on the Corporation's website. The Town Clerk will provide a copy of the report to the parties and advise them of the outcome once the Court of Common Council has met.

## **APPEALS**

41. It is possible for either the complainant or the subject member to appeal against the decision at the hearing stage. This may relate either to the finding regarding a breach of the code of conduct and/or in relation to any sanction imposed, but is limited only to: matters concerning new, or undisclosed, evidence; the failure to consider evidence that was available at the hearing stage; or failure to follow due process.
42. Written notice of intention to appeal must be received by the Monitoring Officer within 10 working days from the date that the parties received the decision letter of the Town Clerk, or confirmation of the decision of the Court of Common Council. Full written details of the reasons for the appeal must then be received by the Monitoring Officer within a further 10 working days.

## **RESPONDING TO AN APPEAL**

43. The Monitoring Officer will forward the full written details of any appeal to the respondent and invite them to submit their own written comments in response to

the Appeal Panel. Any written response must be received by the Monitoring Officer within 10 working days from the date that the respondent received the full written details of the appeal.

## **APPEAL PROCEDURE**

44. The Town Clerk will aim to convene the Appeal Panel within 30 working days from receipt of the full written details of the appeal. The Appeal Panel will consider the admissibility of the appeal as a preliminary matter. If it is not considered to satisfy the relevant criteria, then the Town Clerk will write to the parties to confirm the decision and to advise them that the appeal process has come to an end within 10 working days.
45. For admissible appeals, the Appeal Panel may adopt such procedure as it considers appropriate having regard to the nature of the case. The Appeal Panel will normally make its finding on any appeal on the papers and will not hold a completely new hearing of the whole matter. However, the Appeal Panel may decide to hear further oral evidence in a particular case if it deems this necessary. If the Appeal Panel does decide to hear further oral evidence then the procedure will as far as possible follow the hearing procedure included at Appendix 3, with any necessary modifications.

## **FINDINGS**

46. Having due regard to the finding of the Hearing Panel, the Appeal Panel may substitute any alternative recommendation that it considers appropriate, providing it is a recommendation that the Hearing Panel had the power to make. There is no further right of appeal against a decision made following a recommendation of the Appeal Panel.

## **NOTIFICATION OF APPEAL DECISIONS**

47. If the decision at the hearing stage was that there had not been a breach of the code of conduct, and this is also the finding of the Appeal Panel, then the Town Clerk will write to the parties to confirm the decision and to advise them of the outcome within 10 working days. The decision letter will include the main points of the matter considered, the decision reached and the reasons for that decision.
48. If the Appeal Panel makes any other finding (i.e. that there has been a breach of the code of conduct, or that a previous decision of the Court of Common Council should be reconsidered) then the Town Clerk will draft a report to the next meeting of the Court of Common Council for decision. The report will include the details of the matter considered, the recommendations of the Appeal Panel and the reasons for those recommendations, including any recommendations as to sanction. The Appeal Panel may also make a recommendation as to whether any formal announcement of the decision is called for, such as a statement on the Corporation's website. The Town Clerk will provide a copy of the report to the parties and advise them of the outcome once the Court of Common Council has met.



## EXEMPT (NON-PUBLIC) INFORMATION

### **THE DESCRIPTIONS OF EXEMPT INFORMATION**

The descriptions of exempt information under Part VA and Schedule 12A to the Local Government Act 1972 are as follows:-

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes-
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Where, in the opinion of the proper officer, the consideration of a complaint at a meeting is likely not to be open to the public, in order to prevent the disclosure of exempt information, any related papers will be treated as non-public pending a formal decision on the matter. This is in accordance with section 100B(2) of the Local Government Act 1972 and so as to avoid pre-judging the matter.

### **THE PUBLIC INTEREST TEST**

The types of information set out above are only exempt information if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. If the public interest is equal on both sides, then the information must be disclosed – in this sense there is an assumption in favour of disclosure.

The Corporation must consider the balance of the public interest in each individual case, and therefore it is not possible to have a blanket ruling as to whether information relating to a complaint will be exempt or not.

There is no statutory definition of what constitutes the 'public interest'. The public interest can cover a wide range of values and principles relating to the public good, or what is in the best interests of society, and there are often arguments to be made on both sides. A non-exhaustive list of relevant factors to be considered are set out below:-

## **GENERAL PUBLIC INTEREST IN TRANSPARENCY**

There is a general public interest in promoting transparency, accountability, public understanding and involvement in the democratic process.

## **SPECIFIC PUBLIC INTEREST IN THE COMPLAINT**

As well as the general public interest in transparency, which is always an argument for disclosure, there may also be a legitimate public interest in knowing the details of a particular complaint. For example, if the complaint relates to the misappropriation of public funds, or it is alleged that the subject member's conduct has impacted on public services.

## **DETERRENT EFFECT**

If members know – because the Corporation's policy is to publish in an appropriate case – that improper conduct, if it comes to light, will be exposed to public scrutiny then this, in and of itself, can act as a deterrent to misconduct in the first place.

## **OF INTEREST TO THE PUBLIC**

The public interest is not necessarily the same as what interests the public. The fact that a subject member's actions are being discussed, for example in the media, does not automatically mean that there is a public interest in disclosing the information.

## **THE VIEWS OF THE PARTIES**

The public interest test is concerned only with public interests, not private interests. However, the complainant and the subject member may be invited to make representations regarding the public interest in a particular case. For example, if neither has any concerns about information relating to the complaint being disclosed then it is unlikely that the exemption would be maintained.

## **INFORMATION ALREADY IN THE PUBLIC DOMAIN**

If a complaint relates to the conduct of the subject member at a public meeting, then it is unlikely to be treated as exempt because knowledge of the incident is already in the public domain. However if, for example, the conduct may have been caused by an underlying medical condition, then it is likely that this would be exempt information.

## **PRESENTING A 'FULL PICTURE'**

Similarly, there may be cases where allegations have been thoroughly aired, for example in the press and on social media; the coverage may have been partisan and not always accurate. It may be in the public interest to make the full facts known to the public, rather than having snippets referred to and innuendos drawn from those snippets.

## **EVIDENCE OF WRONGDOING**

It is not in the public interest for baseless accusations against members of the Corporation to be publicised. Therefore in order for information regarding a complaint to be disclosed, the suspicion of wrongdoing must normally amount to more than a mere allegation; there should be a plausible basis for the suspicion, even if it is not actually proven at that stage. It is not wrong or unfair in principle to publish allegations, as opposed to ultimate findings, but we will take into account the nature and depth of any investigations undertaken, and the strength of the case against the subject member.

Consequently, it is less likely that information regarding a complaint will be disclosed at the initial assessment stage, particularly where it has been decided that no action should be taken. It is more likely that information will be disclosed if a subsequent investigation reveals a serious case to answer. It is more likely still that information will be disclosed if, after full consideration of all of the evidence at a hearing, or after any appeal, a subject member is found to have breached the code of conduct and a sanction is imposed.

## INVESTIGATIONS PROTOCOL

### Meeting with complainant

The investigator will interview the complainant to explore the complaint and identify supporting evidence and/or witnesses.

### Meeting with subject member

The investigator will interview the subject member to explore the complaint and identify supporting evidence and/or witnesses. The subject member shall have the right to be accompanied by a person of their choice. This may be a lawyer although the process will be an interview with the subject member rather than a hearing involving advocacy.

### Interviewing witnesses

All requests for interviews will be made in writing and will include a summary of the matters that investigator wishes to ask the witness about.

### Recording of interviews

All interviews will either be recorded, or a full written transcript taken, and the interviewee will be provided with a copy.

### Preparation of statements

The investigator may assist the parties and witnesses in the preparation of statements if they so wish, or they may choose to prepare their own statements.

### Confidentiality

All interview records, witness statements and other materials produced in the course of the investigation will only be used and disclosed in accordance with the procedures set out in this document.

### Retention of records

All interview records, witness statements and other materials produced in the course of the investigation will be retained by the Monitoring Officer for six years following the determination of the complaint and then destroyed.

### Provision of draft report

At least 10 working days prior to submitting a final report to the Hearing Panel on whether there is or is not evidence of a breach of the code of conduct the investigator will provide a copy of their draft report to the parties for comment. The draft report will include all of the material gathered during the investigation that the investigator is intending to present to the Hearing Panel.

## HEARING PANEL – HEARING PROCEDURE

1. The Hearing Panel will open in public session. It is a matter for the Hearing Panel to determine whether it moves into confidential session with the press and public excluded, in accordance with the provisions of Part VA and Schedule 12A of the Local Government Act 1972. The views of the complainant and the subject member will be sought, if these have not already been received at any pre-hearing review.
2. The Chair introduces the members of the Hearing Panel and others present, and explains the purpose of the hearing, the procedure to be followed and the nature of the meeting.
3. The complainant and the subject member may be legally represented if they wish, or accompanied by some other person, but will be expected to give evidence and answer any questions put to them personally.
4. The complainant and the subject member (and anyone representing or accompanying them) are invited to be present throughout the hearing; other witnesses will enter to give evidence and then withdraw.
5. If there has been an investigation, the investigator presents their report and then answers any questions from the Hearing Panel, the complainant and the subject member (in that order).
6. The complainant and then the subject member will be invited to make an opening statement. The Chair has a discretion to limit the time for opening statements, in appropriate circumstances.
7. The Chair calls witnesses in the order agreed at any pre-hearing review, or otherwise in the order that their statements appear in the papers. The statements will be taken as read rather than read out. Witnesses will be asked to confirm that their statements are true.
8. Immediately after confirming the contents of their statement each witness will be invited to answer any questions from the Hearing Panel.
9. Each witness may then be invited to answer questions (if any) from the complainant and the subject member (in that order). Alternatively, questions may only be allowed to be put through the Chair, with their permission.
10. The Chair has a discretion to manage the hearing in a non-adversarial, fair and efficient manner and may therefore refuse to allow certain questions, or limit the time for questioning, in appropriate circumstances.
11. There will then be an opportunity for the complainant and the subject member (in that order) to make any closing comments if they so wish. Again, the Chair has a discretion to limit the time for closing comments, in appropriate circumstances.

12. All other persons present then withdraw to allow the Hearing Panel to consider the evidence and representations with their clerk and legal adviser and to take legal advice where necessary.
13. Those persons are then invited to return and the Hearing Panel announces its finding as to whether there has been a breach of the code of conduct.
14. If the Hearing Panel considers that there has been a breach of the code it may invite any representations from the complainant and the subject member (in that order) on the appropriate sanction (censure of the member; withdrawal of Corporation hospitality for an appropriate period; or removal of the member from a particular committee or committees). The Hearing Panel may ask all other persons present to withdraw again to allow it to consider the appropriate sanction, then invite them to return to hear the Hearing Panel's recommendation as to any appropriate sanction.
15. The Hearing Panel will endeavour to conclude the hearing in one day but, in exceptional circumstances, may at any stage adjourn the hearing to a different day. This may be necessary, for example, where one of the parties makes a request to introduce additional evidence at the hearing, and more time is needed to consider this. An adjournment may also be necessary where the Hearing Panel, having heard all of the evidence, requires more time to make a recommendation.
16. The final decision of the Town Clerk or the Court of Common Council, together with the reasons for that decision, will be confirmed to the parties in writing following the hearing.
17. This procedure may be varied by the Hearing Panel as it considers appropriate in order to dispose of the matter in a fair and efficient manner.

**Independent Person's Panel Letter to the Corporation -by email**

To Angela Roach

From – Robert Coyle

Dear Angela,

**Independent Person's Panel – Corporation of London**

As you are aware, I am writing to you on behalf of the Panel of Independent Persons appointed by the Corporation – this letter has been approved by the Panel.

The panel is making good progress in drafting a proposed process for fulfilling our role, together with supporting papers & policies as appropriate.

As discussions have progressed a small number of issues have become apparent, where it is felt that either amendments need to be made to the scheme by which the panel is appointed &/or where some resources are thought to be desirable. I am writing to formally draw this to your attention so that, hopefully we can enter into a discussion as to how to resolve or otherwise move forward the matters.

**Panel Size**

The Lisvane Report, at paragraph 431, noted "...it may be necessary to have about eight Members of the Panel, to provide Members to constitute Hearing Panels and Appeals Panels, and to provide a degree of collegiate approach and mutual support.". The current panel is nine persons. We propose that this should be increased.

The panel is likely to propose a three tier process for dealing with complaints. The first two tiers needing three panel members each and the third at least two.

Allowing for illness or other non availability of a panel member – or were a member to need to recuse themselves for any reason, the number of panel members is therefore felt to be too few. (We also need to allow for any vacancies in the panel were a complaint to arise).

In addition, there may be a requirement for a panel member (or former member), to be available, in addition to those above, to be consulted by any person subject to a complaint. (While we make some proposals about this towards the end of this letter, those proposals would not be effective for some time: this adds to the need for a larger panel).

We think as a minimum the panel needs to be twelve strong.

### **Panel Term**

Currently members are appointed for two years with a potential to extend their term twice (i.e. six years in total). Additionally it is envisaged that some members (drawn by lot) will serve a one year first term – so that the whole panel does not need to be replaced in one go.

The panel agree that six years in total is sufficient. However it is becoming increasingly clear that panel matters/workings are complex. We would suggest that the initial membership be extended once only by a year – this would be to allow more time for panel members to “get up to speed” on the workings etc. of the panel and its processes.

### **Panel Member Training**

The panel are grateful to the Officers who have generously given their time to provide background material, induct the panel and convene early meetings over the recent weeks.

The Lisvane Report, at paragraph 140, recommends that Members appointed to a Committee should, as a matter of best practice, undertake certain professional training in diversity. The recommendation was for Members to undertake the same mandatory learning as Officers.

The panel welcomes the opportunity to support the Corporation in role modelling best practice in respect of undertaking professional training in diversity. In keeping with the spirit of the Lisvane Report, the panel consider it would be appropriate for all Independent Persons to at least have the opportunity to undertake professional training in diversity and for this to be periodically refreshed.

As a minimum the Independent Persons should undertake all the mandatory and highly recommended professional training in diversity as required by Corporation of Officers. The panel understands this currently includes modules on:

- Unconscious Bias
- Equality Awareness
- Transgender Awareness
- “Equally Yours”

The panel have a range of skills, experience and knowledge. It might be advantageous for some panel members to have the opportunity to undertake other training periodically – such as in current best practice in employment law and/or complaints handling.

The panel are also aware that it is proposed that there will be voluntary induction sessions for new Members later this year. Some of the panel, particularly those who are less familiar with the workings of the Corporation, would welcome the opportunity to attend any induction sessions for Members should this be permissible.



### **Former panel Member(s) to be available for consultation by subjects of complaints**

As a final point it may, in due course, be advisable to have a secondary “panel” of former Independent Persons. These would be available for consultation by the subject person of any complaint as to the working, procedures and processes of the panel.

### **Conclusion**

It would be useful to discuss these points with you. Clearly you may need to report to the Court or consult with it – however it is difficult for the panel to finalise some matters (such as its Terms of Reference), if these matters are not settled. Accordingly an early discussion would be useful, if only to set matters moving.

Finally and as discussed the panel feel that they will soon be in a position to properly function – subject to any final governance/sign-off by the Corporation.

I trust this is all self explanatory but am happy to discuss any points that need clarification.

Yours,

Robert Coyle

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# **Panel of Independent Persons**

## **Terms of Reference**

### **Functions and Authority of the Panel**

The Panel of Independent Persons (the Panel) was established by the City of London Corporation Court of Common Council (the Corporation) by way of Court of Common Council Resolution on 14 January 2021.

The purpose and powers of the Panel is to establish and administer a Complaints Process and to also deal with the granting of Dispensations (the Scheme).

The Panel is to independently consider complaints made by anyone against an elected or co-opted member of the Corporation.

The Panel will also consider granting Dispensations for Members to participate in a particular item of business at a City Corporation meeting where a disclosable pecuniary interest exists that must be disclosed, relating to any matter that is being considered.

The Panel has authority to develop the Policy on the process for dealing with complaints referring to any Sanctions that may be applied. The Panel is also authorised to consider Dispensations under the Scheme.

The Panel is responsible for providing from its membership, the persons to form Sub-panels, required to investigate and consider complaints, by informal and/or formal process under the Scheme.

The Panel considers all complaints referred to the Scheme and where formal process is followed will recommend to the Corporation the final outcome for approval. The Panel also considers and makes recommendations to the Town Clerk on dispensation applications.

The Panel is responsible for developing a Policy for Publication of the outcomes of complaints, as recommended to the Corporation.

### **Membership**

The Panel is formed of up to nine/twelve\* members in total, comprised of all independent members.

All Panel members agree to follow the Nolan Principles and also the Code of Conduct in place for members and co-opted members of the Corporation.

The Panel will maintain a Register of Interests for all independent members which will be published on the Corporation's website and updated regularly.

Independent panel members are selected by the Corporation. All appointments are for terms of up to two years, with a maximum of three terms being served.

## **Chair and Deputy Chair**

The members of the Panel shall elect one of its members as Chair, and another member as Deputy Chair, both for a period of 12 months which can be renewed for a maximum of up to 36 months

Where the Chair is not present at a meeting, or is conflicted, the Deputy Chair will take the Chair for the meeting or for any conflicted item

## **Quorum, Frequency and Records of Panel Meetings**

The Panel quorum is five.

The Panel will as standard meet quarterly each municipal year, but meetings may be cancelled or called more frequently if required.

The Panel shall hold additional meetings as required to deal with any business arising at the request of the Executive of the Corporation or at the request of two members of the Panel.

At least three business days' notice of the time, date and venue of each Panel meeting shall be provided to all members.

It is acceptable for routine business to be conducted electronically.

The Secretariat of the Corporation will prepare minutes and provide each member with a copy. Such minutes will be reviewed at the next meeting and, subject to any amendment, agreed and will be signed by the Chair. The amendment of minutes shall not affect the validity of decisions taken by the panel in the meeting to which the minutes relate.

## **Duties**

The Panel is responsible for establishing and maintaining a Complaints Process and applying the Sanctions Policy, both of which should be reviewed regularly.

The complaints process and any guidance will be available to all who want to make a complaint.

The Panel, and its Sub-panels, are to have regard to the Complaints Process; any Sanctions specified in legislation or in any Sanctions Policy; the Policy and Guidance on the granting of dispensations under the Localism Act 2011; and the Members Code of Conduct when dealing with any complaints or dispensation requests before it.

All formal complaints and/or appeal recommendations will be referred to the Corporation for oversight approval. After the matter has been addressed by the Corporation the outcome will be published where the process requires this.

A recommendation or other outcome at any stage of the complaints process, will be recorded in writing and reported to the next full Panel meeting after the end of the full process for that complaint has concluded.

All determinations made by the Corporation will also be reported back to the Panel.

The Panel will adhere to best practice in terms of managing data and do so in line with the City of London Corporation Data Subject Rights Policy.

The Panel will produce an Annual Report that will be published.

### **Hearings Sub-Panels**

Each Sub-panel will be comprised of up to three persons.

Appointments to Sub-panel will be undertaken on a rota basis. The Panel can select particular members for a complaint to replace any rota allocations, if specific skills are required to deal with a particular complaint. Also allocations should ensure, as far as possible, a mix of persons to each Hearing Sub-panel to reflect the range of diversity within the panel.

A panel member cannot be part of more than one Sub-panel for each individual complaint.

### **Voting mechanism**

The Panel or any Sub-panel, may vote on and determine any matter arising at the meeting and each member present at the meeting shall have one vote.

Decisions of the Panel or any Sub-panel shall be by simple majority of the votes cast (excluding any abstentions).

Approved April 2022

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<b>Committee(s):</b> Bridge House Estates Board Policy and Resources Committee	<b>Date(s):</b> 27 April 2022 5 May 2022
<b>Subject:</b> Capital Funding Update	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	The schemes for which funding is now requested span across a range of corporate outcomes
<b>For Bridge House Estates (BHE), which outcomes in the BHE Bridging London 2020 – 2045 Strategy does this proposal aim to support?</b>	1,2&3
<b>Does this proposal require extra revenue and/or capital spending?</b>	Yes
<b>If so, how much?</b>	£7.812m
<b>What is the source of Funding?</b>	£5.770m from City Fund Reserves, £1.841m from City's Cash reserves and £201k from BHE Unrestricted Income Fund.
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	Yes
<b>Report of:</b> The Chamberlain	<b>For Decision</b>
<b>Report author:</b> Dianne Merrifield, Group Accountant	

## Summary

This report follows on from previous papers on capital prioritisation and the 2020/21, 2021/22 and 2022/23 rounds of annual capital bids.

Members are reminded of the two-step funding mechanism via the annual capital bid process:

- Firstly, within available funding, 'in principle' approval to the highest priority bids is sought and appropriate provisions are set aside in the annual capital and revenue budgets and the MTFPs.
- Secondly, following scrutiny via the gateway process to provide assurance of robust option appraisal, project management and value for money, Members are asked to confirm that these schemes remain a priority for which funding should be released at this time.

The purpose of this report is to seek agreement to the release of funding (following gateway approvals) to allow schemes to progress.

The approved annual capital bids for 2020/21 currently total £84.1m of which draw-downs of £31.3m have been approved to date. A schedule of the current 2020/21 allocations is included in Appendix 1 for information. The second annual bid round for 2021/22 granted in principle funding approval to bids with a current value of £83m of which draw-downs of £9.7m have been agreed. A schedule of the current 2021/22 allocations is included in Appendix 2 for information.

The recently approved annual capital bids for 2022/23 total £26.2m which became available with effect from 1<sup>st</sup> April 2022.

Release of £7.813m to allow progression of the nine schemes summarised in Table 1 (para. 9) is now proposed. Funding for these schemes can be met from the provisions set aside from the reserves of the three main funds via the annual capital bids: £250k from CIL, £2.3m from the On Street Parking Reserve (OSPR) and £3.22m from general/capital reserves (all City Fund), plus £1.842m from City's Cash general reserves and £201k from the Bridge House Estates Unrestricted Income Fund.

### **Recommendations**

Policy and Resources Committee Members are requested -

- (i) To review the schemes summarised in Table 1 and, particularly in the context of the current financial climate, to confirm their continued essential priority for release of funding at this time; and accordingly
- (ii) To agree the release of up to £7.612m for the schemes in Table 1 from the reserves of City Fund (£5.770m) and City's Cash (£1.842m) as appropriate, subject to the required gateway approvals.

Bridge House Estates (BHE) Board Members are requested –

- (iii) To agree a contribution of £201k towards the cost of progressing the Guildhall Cooling Plant Replacement project, to be met from the provision set aside from the Unrestricted Income Fund.

### **Main Report**

#### **Background**

1. As part of the fundamental review, Members agreed the necessity for effective prioritisation of capital and SRP projects, with central funding allocated in a measured way. This has been achieved via the annual capital bid process which applies prioritisation criteria to ensure that corporate objectives are met, and schemes are affordable.
2. The following criteria against which capital and supplementary revenue projects are assessed have been agreed as:
  - i. Must be an essential scheme (Health and Safety or Statutory Compliance, Fully/substantially reimbursable, Major Renewal of Income Generating Asset, Spend to Save with a payback period < 5 years.)
  - ii. Must address a risk on the Corporate Risk register, or the following items that would otherwise be escalated to the corporate risk register:
    - a. Replacement of critical end of life components for core services;
    - b. Schemes required to deliver high priority policies; and
    - c. Schemes with a high reputational impact.
  - iii. Must have a sound business case, clearly demonstrating the negative impact of the scheme not going ahead, i.e. penalty costs or loss of income, where these are material.



The above criteria were used as the basis for prioritising the annual capital bids.

3. The scope of schemes subject to this prioritisation relates only to those funded from central sources, which include the On-Street Parking Reserve, Community Infrastructure Levy (CIL), flexible external contributions and allocations from the general reserves of City Fund, City's Cash or BHE<sup>1</sup>. This means that projects funded from most ring-fenced funds, such as the Housing Revenue Account, Designated Sales Pools and Cyclical Works Programmes *are excluded*, as well as schemes wholly funded from external grants, and tenant/ developer contributions e.g. under S278 agreements and S106 deposits.
4. Members are reminded of the two-step funding mechanism via the annual capital bid process:
  - Firstly, 'in principle' approval to the highest priority bids within available funding is sought and appropriate provisions are set aside in the annual capital and revenue budgets and the MTFPs.
  - Secondly, following scrutiny via the gateway process to provide assurance of robust option appraisal, project management and value for money, RASC is asked to confirm that these schemes remain a priority for which funding should be released at this time.

## **Current Position**

5. From the 2020/21 bid round, central funding of £84.1m is currently allocated for new capital bids across the three main funds. To date, £31.3m has been drawn down to allow 36 of these schemes to be progressed. A schedule of the current 2020/21 allocations is included in Appendix 1 for information.
6. Central funding of a further £83m across the three main funds for the 2021/22 new bids is currently allocated, of which drawdowns of £9.7m has been approved in respect of 16 schemes. A schedule of the 2021/22 allocations is included in Appendix 2 for information.
7. Central Funding of £26.2m has recently been agreed for the 2022/23 new bids, with funding available from 1<sup>st</sup> April 2022. A schedule of the 2022/23 allocations is included in Appendix 3 for information.
8. In addition, there a small number of ongoing schemes for which funding was allocated as part of the Fundamental Review.

## **Proposals**

### Current Requests for the Release of Funding

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<sup>1</sup> Contributions from Bridge House Estates are limited to its share of corporate schemes such as works to the Guildhall Complex or corporate IT systems and are subject to the specific approval of the Bridge House Estates Board.

9. There are nine schemes with 'in principle' funding approved as part of the capital bids that have progressed through the gateways, for which release of £7.813m is now requested as summarised in Table 1:

<b>Table 1: Project Funding Requests</b>		Next Gate-way	Capital Bid Round	City Fund	City's Cash	Bridge House Estates	Total
				£m	£m	£m	£m
<b>Funding to progress to the next gateway</b>							
	Guildhall School and Barbican Centre - Ventilation, heating, cooling and mechanical controls	G3/4	2021/22	0.024	0.200		0.224
	Hampstead Heath Swimming Facilities - Safety, Access and Security Improvements	G3/4	2021/22	-	0.079	-	0.079
	St Paul's Gyratory	G3	2022/23	0.556			0.556
*	St Paul's Cathedral External Lighting	G4	2022/23	0.250	-	-	0.250
<b>Full Funding for Scheme Implementation</b>							
	Assessment Centre for Rough Sleepers - top-up funding	G5	2020/21	0.106			0.106
	Guildhall Cooling Plant Replacement	G4c	2020/21	2.280	1.563	0.201	4.044
**	BEMS Phase 1 Stage 2 (LMA and Walbrook Wharf)		2020/21	0.254			0.254
***	Climate Action Strategy – Year 2 Cool Streets and Greening Programme	G5	2021/22	1.600	-	-	1.600
***	Bank Junction Improvements (All Change at Bank) - top-up funding	G6	2022/23	0.700	-	-	0.700
<b>Total Requested Release of Funding</b>				<b>5.770</b>	<b>1.842</b>	<b>0.201</b>	<b>7.813</b>
* Funding from CIL							
** BEMS = Building Energy Management Systems							
*** Funding from On- Street Parking Reserve							

Further details of the individual schemes are provided in Appendix 4 attached.

10. In accordance with step two of the capital funding mechanism, Members will wish to confirm that these schemes remain a priority for funding to be released at this time particularly in the context of the current financial climate.
11. Funding for these schemes can be met from the provisions set aside from the reserves of the three main funds via the three years of capital bids: £250k from CIL, £2.3m from the On Street Parking Reserve and £3.22m from capital reserves (all City Fund), plus £1.842m from City's Cash general reserves and £201k from the Bridge House Estates Unrestricted Income Fund.

## Conclusion

12. The purpose of this report is to agree the release of funding for projects progressing through the gateways.
13. Requests for the release of £7.813m to allow nine schemes to progress are set out in Table 1 (refer to paragraph 2 and appendix 4).
14. The funding for these schemes can be met from the existing provisions set aside from the relevant reserves of the three main funds as set out in Table 1, which were agreed as part of the last three years of capital bids: £250k from CIL, £2.3m from the On Street Parking Reserve and £3.22m from City Fund general reserves,

plus £1.842m from City's Cash Reserves and £201k from the Bridge Houses Estates Unrestricted Income Fund.

### **Appendices**

- Appendix 1– 2020/21 Approved Bids
- Appendix 2 - 2021/22 Approved Bids
- Appendix 3 – 2022/23 Approved Bids
- Appendix 4 – Requests for Release of Funding – Scheme Details

### **Background Papers**

- Annual Capital Prioritisation Report, 12 December 2019 (Non-Public).
- Prioritisation of Remaining 2020/21 Annual Capital Bids (Deferred from December 2019 Meeting), 23 January 2020 (Non-Public)
- Re-prioritisation of 2020/21 Approved Capital Bids, 18 September 2020 (Non-Public)
- Capital Funding – Prioritisation of 2021/22 Annual Capital Bids – Stage 2 Proposals, 10 December 2020 (Public)

Capital Funding – Prioritisation of 2022/23 Annual Capital Bids – Stage 2 Final Proposals

### **Dianne Merrifield**

Group Accountant, Capital

E: [dianne.merrifield@cityoflondon.gov.uk](mailto:dianne.merrifield@cityoflondon.gov.uk)

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## Appendix 1

Approved Bids 2020/21						THIS REPORT	
Project Name	City Fund £'m	City's Cash £'m	BHE £'m	Total Funding Allocation £'m	Funding Allocation After Re- prioritisation	Release of Funding Previously agreed	Release of Funding now requested
<b>Critical End of Life Replacement</b>							
Barbican Replacement of Art Gallery Chiller	0.300	-	-	0.300	0.300	0.018	-
Car Park - London Wall Joints and Waterproofing	2.000	-	-	2.000	2.000	-	-
Car Park - Hampstead Heath, East Heath Car Park Resurface	-	0.415	-	0.415	0.415	0.387	-
Central Criminal Court - Replacement for Heating, Cooling and Electrics for the East Wing Mezzanine including the sheriff's apartments.*****	1.000	-	-	1.000	0.626	0.626	-
Finsbury Circus Garden Re-installment	2.558	-	-	2.558	2.558	2.542	-
Guildhall - North and East Wing Steam Generator replacement – including Art Gallery	0.744	0.396	0.060	1.200	0.002	0.002	-
Guildhall - West Wing - Space Cooling - Chiller Plant & Cooling Tower Replacement	1.860	0.990	0.150	3.000	4.433	0.389	4.044
Guildhall event spaces - Audio & Visual replacement / upgrade	-	0.330	-	0.330	0.330	0.045	-
Guildhall Yard - Refurbishment/ Replacement of Paviments	-	3.000	-	3.000	3.000	-	-
I.T - Computer Equipment rooms (CER) Uninterrupted Power Supplies (UPS) Upgrades and Replacements	0.090	0.100	0.010	0.200	0.200	0.200	-
I.T - Essential Computer (Servers) operating system refresh programme	0.068	0.075	0.008	0.151	0.095	0.095	-
I.T - Personal device replacement (Laptops, Desktops and tablet/mobile device)	1.013	1.125	0.112	2.250	2.250	2.250	-
I.T - Rationalisation of Financials, HR & Payroll Systems (ERP project)	2.654	2.949	0.295	5.898	6.768	0.554	-
I.T - Telephony replacement ***	0.873	0.343	0.034	1.250	-	-	-
LMA : Replacement of Fire Alarm, Chillers and Landlords Lighting and Power	1.397	-	-	1.397	1.397	0.145	-
Oracle Property Management System Replacement	0.713	0.380	0.058	1.151	1.151	1.150	-
Structural - Lindsey Street Bridge Strengthening	5.000	-	-	5.000	5.000	0.030	-
Structural - Dominant House Footbridge	1.025	-	-	1.025	1.025	0.287	-
Structural - West Ham Park Playground Refurbishment	-	1.279	-	1.279	1.279	0.863	-
<b>Fully or substantially reimbursable</b>							
Barbican Turret John Wesley High Walk	0.043	-	-	0.043	0.043	0.043	-
Chingford Golf Course Development Project	-	0.075	-	0.075	0.075	-	-
<b>High Profile Policy Initiative</b>							
Bank Junction Transformation (All Change at Bank)	4.000	-	-	4.000	4.000	4.000	-
Culture Mile Implementation Phase 1 incl CM experiments and Culture Mile Spine	0.580	-	-	0.580	0.580	0.580	-
I.T - Smarter working for Members and Officers	0.113	0.125	0.013	0.251	0.185	0.185	-
Rough Sleeping - assessment hub	1.000	-	-	1.000	1.000	0.788	0.106
Rough Sleeping High Support Hostel - Option 3	0.500	-	-	0.500	0.500	0.500	-
Secure City Programme	15.852	-	-	15.852	15.852	7.174	-
<b>Statutory Compliance/Health and Safety</b>							
Barbican Exhibition Halls	5.000	-	-	5.000	1.549	1.548	-
Barbican Podium Waterproofing, Drainage and Landscaping Works (Ben Jonson, Breton & Cromwell Highwalk) Phase 2 – 1st Priority	13.827	-	-	13.827	13.827	1.517	-
Covid19 Phase 3 Transportation Response*	-	-	-	-	0.568	0.568	-
City of London Primary Academy Islington (COLPAI) temporary site	-	0.300	-	0.300	0.583	0.583	-
Golden Lane Lighting and Accessibility	0.500	-	-	0.500	0.500	0.500	-
Guildhall - Great Hall - Internal Stonework Overhaul	-	2.000	-	2.000	2.000	1.740	-
Guildhall - Installation of Public Address & Voice Alarm (PAVA) and lockdown system at the Guildhall (Security Recommendation)	0.930	0.495	0.075	1.500	1.500	0.118	-
I.T - Critical Security Works agreed by the DSSC **	0.112	0.125	0.013	0.250	-	-	-
I.T - GDPR and Data Protection Compliance in addition saving money in being able to share and find information quickly	0.090	0.100	0.010	0.200	0.200	-	-
Confined and Dangerous Spaces - Barbican Centre	2.000	-	-	2.000	2.000	0.098	-
Confined and Dangerous Spaces - GSMD	-	0.400	-	0.400	0.400	0.019	-
Fire Safety - Car Park London Wall - Ventilation, electrics, lighting and fire alarm works	1.370	-	-	1.370	1.370	0.250	-
Fire Safety - Works in car parks	1.032	-	-	1.032	1.032	0.699	-
Fire Safety - Frobisher Crescent, Barbican Estate (compartmentation) *	0.550	-	-	0.550	1.203	1.203	-
Fire Safety - Smithfield sprinkler head replacement and fire door replacement.	-	0.150	-	0.150	0.150	0.020	-
Queen's Park Public Toilet Rebuild	-	0.380	-	0.380	-	-	-
Spitalfields Flats Fire Door Safety	0.146	-	-	0.146	0.146	-	-
<b>Spend to save with a payback &lt; 5 years</b>							
Energy programme of lighting and M&E upgrade works (Phase 1)****	0.440	0.489	0.049	0.978	0.268	0.050	-
I.T - GDPR Compliance Project Unstructured data	0.112	0.125	0.013	0.250	-	-	-
Wanstead Flats Artificial Grass Pitches (spend to save > 5 years)	-	-	-	-	1.700	-	-
The Monument Visitor Centre	-	2.500	-	2.500	-	-	-
<b>Total Approved Funding Bids</b>	<b>69.492</b>	<b>18.646</b>	<b>0.900</b>	<b>89.038</b>	<b>84.060</b>	<b>31.266</b>	<b>4.150</b>

Previous Funding Allocation	89.038
Net reductions from previous reprioritisation exercise (September 2020)	- 4.032
* Reallocated from the 2021/22 annual bids and fundamental review schemes	- 0.653
* £0.500m of capital funding foregone in place of revenue funding solution (telephony/security)	- 0.500
*** £0.250m of capital funding foregone in place of a revenue funding solution (telephony/security)	- 0.250
****Reallocation of £0.229m to 2021/22 scheme (BEMS Phase 1)	- 0.229
*****£0.246m of central funding no longer required and returned to the centre	- 0.246
*****Reallocation of £0.374k to fund cost increase on Walbrook Wharf M&E project	- 0.374
	84.060

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Approved Bids 2021/22						THIS REPORT	
Project Name	City Fund £'m	City's Cash £'m	BHE £'m	Total Funding Allocation £'m	Latest Funding Allocation after Reprioritisation	Release of Funding Previously agreed	Release of Funding now requested
<b>Critical End of Life Replacement</b>							
OSD - Tower Hill Play Area Replacement Project	0.120			0.120	0.120	0.120	
SVY - BEMS Upgrade Project-CPG Estate – Phase 1***	0.507	0.375	0.022	0.904	1.133	0.332	0.254
SVY - Smithfield Condenser Pipework Replacement		0.564		0.564	0.564		
CHB - IT SD WAN /MPLS replacement	0.320	0.145	0.035	0.500	0.500	0.050	
CHB - IT LAN Support to Replace Freedom Contract	0.096	0.043	0.011	0.150	0.150		
CHB - Libraries IT Refresh	0.220			0.220	0.220		
BBC - Barbican Centre - Catering Block Extraction	0.400			0.400	0.400		0.024
<b>High Profile Policy Initiative</b>							
DBE - Secure City Programme Year 2	4.739			4.739	4.739	1.700	
SVY - Guildhall Complex Masterplan - initial feasibility and design work		0.350		0.350	0.350	0.350	
<b>Statutory Compliance/Health and Safety</b>							
DCCS - Fire Doors Barbican Estate*	20.000			20.000	19.597	0.275	
SVY - St Lawrence Jewry Church - Essential works (Top-Up Funding)		2.565		2.565	2.565	2.136	
SVY - Denton Pier and Pontoon Overhaul Works	1.000			1.000	1.000	0.050	
OSD - Hampstead Heath Swimming Facilities - Safety, Access and Security Improvements		0.755		0.755	0.755	0.064	0.079
DBE - Public Realm Security Programme	1.238			1.238	1.238	0.027	
DBE - Beech Street Transportation and Public Realm project (Top-Up Bid)	0.900			0.900	0.900	0.191	
MAN - Central Criminal Courts, Fire Safety and associated public address system (Top-up bid)	0.683			0.683	0.683		
MAN - Central Criminal Court Cell Area Ducting and Extract System Balancing	1.000			1.000	1.000		
SVY - Riverbank House, Swan Lane - repairs to foreshore river defence	0.500			0.500	0.500	0.110	
CHB - Public Services Network replacement	0.064	0.029	0.007	0.100	0.100		
GSMD - Guildhall School - Silk Street Ventilation Heating and Cooling		2.000		2.000	2.000		
GSMD - Guildhall School - Milton Court Correction of Mechanical Systems		0.600		0.600	0.600		0.200
GSMD - Guildhall School - John Hosier Ventilation and Temperature Control		0.700		0.700	0.700		
CHB - IT Security**	0.192	0.087	0.021	0.300	0.000		
<b>Spend to save with a payback &lt; 5 years</b>							
SVY - Energy Reduction Programme – Phase 2	0.194	0.181		0.375	0.375		
<b>Sub-Total - Bids Fulfilling the Funding Criteria excluding</b>	<b>32.173</b>	<b>8.394</b>	<b>0.096</b>	<b>40.663</b>	<b>40.189</b>	<b>5.405</b>	<b>0.557</b>
<b>Climate Action :</b>							
DBE - Public Realm (Pedestrian Priority)	6.050			6.050	6.050	2.454	
OSD - Climate Action Strategy		2.120		2.120	2.120	0.795	
DBE - Embed climate resilience measures into Public Realm works (Cool Streets and Greening)	6.800			6.800	6.800	0.980	1.600
SVY -Energy Efficiency / Net Zero Carbon - Investment Estate - City Fund	4.340			4.340	4.340		
SVY - Energy Efficiency / Net Zero Carbon - Investment Estate - Strategic Estate City Fund	0.000			-	-		
SVY - Climate Resilience Measures	4.000	0.000		4.000	4.000		
SVY - Climate Action Strategy Projects CPG Operational Properties	11.723	7.138	0.649	19.510	19.510	0.109	
<b>Sub-Total - Climate Action</b>	<b>32.913</b>	<b>9.258</b>	<b>0.649</b>	<b>42.820</b>	<b>42.820</b>	<b>4.338</b>	<b>1.600</b>
<b>Total Bids Fulfilling the Funding Criteria</b>	<b>65.086</b>	<b>17.652</b>	<b>0.745</b>	<b>83.483</b>	<b>83.009</b>	<b>9.743</b>	<b>2.157</b>

<u>Previous Funding Allocation</u>	83.483
* £0.403m reallocated as top-up funding for the Frobisher Crescent Fire Compartmentation Project (2020/21 Bid)	-0.403
** £0.300m of capital funding foregone in place of a revenue funding solution (telephony/security)	-0.300
*** £0.229 reallocated from savings on Energy Reduction Programme (2020/21 bid)	0.229
Latest Funding Allocation	83.009

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## Appendix 3

Approved Bids 2022/23				THIS REPORT	
Project Name	City Fund £'m	City's Cash £'m	BHE £'m	Total Funding Allocation £'m	Release of Funding now requested
<b>Critical end of life replacement:</b>					
BEMS Upgrade Phase 2 - Heathrow Animal Reception Centre and various OS sites at Epping	0.150	0.100	-	0.250	
IT - Members IT refresh (to align with new personal device roll-out for staff)	0.192	0.087	0.021	0.300	
IT - Managed Service re-provisioning (one-off costs due to end of current contract)	0.320	0.145	0.035	0.500	
IT - Corporate Managed Print Service (one-off costs due to end of current contract)	0.032	0.015	0.004	0.050	
IT - Server Upgrade/replacement	0.064	0.029	0.007	0.100	
Mansion House - essential roof repairs	-	0.330	-	0.330	
OS Hampstead Heath - Parliament Hill Athletics Track Resurfacing	-	2.000	-	2.000	
Guildhall School - Repairs to roof, expansion joint repairs and drainage and water systems (subject to holistic approach for highwalks, Barbican and School)	-	1.750	-	1.750	
<b>Health and Safety/Statutory Compliance:</b>					
Fire Safety - Guildhall Complex Fire Stopping all basement and plant areas	0.202	0.210	0.008	0.420	
Fire Safety - Baynard House Car Park Sprinklers Replacement (remaining floors)	0.250	-	-	0.250	
Central Criminal Court: Cells Ventilation - Top-Up bid to meet full scope of statutory requirements. (£1m bid agreed in principle as part of the 2021/22 capital bid round.)	1.000	-	-	1.000	
OS Epping Forest - COVID-19 Path Restoration Project	-	0.250	-	0.250	
OS Queen's Park Play Area and Sandpit replacement of equipment	-	0.055	-	0.055	
Barbican Centre - Replacement of Central Battery Units for Emergency Lighting system	0.280	-	-	0.280	
Guildhall School - Rigging infrastructures in Milton Court Concert Hall	-	0.460	-	0.460	
Guildhall School - Safe technical access and working at height - Silk Street Theatre	-	0.345	-	0.345	
Smithfield Market - Glass Canopy Overhaul	-	0.300	-	0.300	
Smithfield Market - East Poultry Avenue Canopy Repairs and Remedial Works	-	0.600	-	0.600	
Smithfield Car Park - Ceiling Coating and Damp Works	-	1.050	-	1.050	
Beech Street Transportation and Public Realm project top-up to deliver permanent air quality and associated public realm improvements following successful experiment.	2.500	-	-	2.500	
DCCS - Social Care Case Management System	0.144	-	-	0.144	
IT - Building Management System Wired Network to maximise efficiencies of new BEMS systems	0.083	0.038	0.009	0.130	
<b>High Priority Policy:</b>					
Secure City Programme - Year 3	8.936	-	-	8.936	
IT Security	0.128	0.058	0.014	0.200	
Guildhall Complex Masterplan - Redevelopment of North and West Wing Offices (top-up)	-	1.150	-	1.150	
Bank Junction Improvements: All Change at Bank - top-up to cover inflation risk of delivering the minimal scheme	0.700	-	-	0.700	0.700
IT - HR System Portal required in advance of the new ERP system delivery	0.160	0.073	0.017	0.250	
Walbrook Wharf Feasibility - 2027 and beyond	0.150	-	-	0.150	
St Paul's Gyratory - Design Development	0.556	-	-	0.556	0.556
St Paul's Cathedral External Re-lighting	1.160	-	-	1.160	0.250
<b>Total Green Funding Bids</b>	<b>17.007</b>	<b>9.044</b>	<b>0.115</b>	<b>26.166</b>	<b>1.506</b>

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### **Requests for Release of Funding – Scheme Details**

The following provides details of the nine schemes for which approval to release central funding of up to £7.813m is now sought, as summarised in Table 1 of the main report.

- (i) Guildhall School and Barbican Centre – Ventilation, Heating, Cooling and Mechanical controls – release of £224k to progress the scheme
  - Three Guildhall School projects (at Silk Street, Milton Court venue areas and John Hosier Annex practice rooms) and one Barbican Centre project (catering areas) relating to replacement and improvement of ventilation, heating and cooling and mechanical controls are to be combined due to their similarities.
  - The ‘in principle’ funding from central reserves of City’s Cash (re Guildhall School) and City Fund (re Barbican) was agreed as part of the 2021/22 annual bids to replace end-of-life infrastructure and make them compliant with current health and safety requirements.
  - The request is for the release of £224k for consultancy and surveys to progress the scheme.
  
- (ii) Hampstead Heath Swimming Facilities – release of a further £79k to progress the scheme
  - This project is to deliver safety, access and security improvements at the Hampstead ponds.
  - The ‘in principle’ central funding from City’s Cash reserves was approved as part of the 2021/22 capital bids on health and safety grounds.
  - This request is to provide a £79k top-up to the previously approved draw-down of £64k to undertake a detailed option appraisal.
  
- (iii) St Paul’s Gyratory – release of up to £556k to develop concept designs
  - This aim of this project is to transform the streets and public realm on the gyratory system between the Museum of London Rotunda and St Paul’s Underground station.
  - The ‘in principle’ central funding from City Fund reserves (OSPR) was agreed as part of the 2022/23 annual capital bids, to provide consultancy and staff resources to develop concept designs and inform the future central funding requirement.
  - Approval of this bid capital bid was conditional on the funding model for DBE project managers being looked at so that a sustainable, fair and effective way of allocating time and costs to projects be developed as a matter of urgency. The outline principles for this review are in place but the detail needs to wait until the TOM is completed. Consequently, there is an expectation that the staff cost element of this bid is at the upper end and the actual amount to be drawn down will reduce.
  - This request is for approval to draw down an amount *up to* £556k to take the project to the next decision point, subject to the approval of the relevant gateway report under delegated authority and also subject to the outcome of the above review.

(iv) St Paul's Cathedral External Lighting – release of £250k to progress the scheme

- This project is for the replacement of the external lighting to St Paul's Cathedral. Under an informal arrangement, the City has historically maintained the existing lighting system which has now reached end of life. Following replacement, the Cathedral will assume responsibility for maintenance going forward.
- The total estimated cost of the scheme is £2.075m, of which £840k is to be funded through S106 and contributions from third parties and £75k is historic spend. The balance of £1.16m to be met from central City Fund reserves (CIL) was agreed 'in principle' as part of the 2022/23 capital bids.
- This request is for the release of £250k for fees and staff costs to take the project to the next gateway.

(v) Assessment Centre for Rough Sleepers – top-up funding of £106k to implement the scheme

- This project is to undertake conversion and refurbishment of premises to establish an assessment centre for rough sleepers.
- 'In principle' central funding of up to £1m from City Fund reserves was agreed as part of the 2020/21 capital bids for the delivery of this high priority strategy to address rough sleeping in the City.
- The cost of the scheme, at £1.003m has risen considerably since the last gateway, due to scope changes (unforeseen roof repairs and carbon zero targets) and an increase in anticipated fees and surveys. Funding of £109k for the carbon zero work falls within the remit of the Climate Action Strategy capital budget and has been approved under delegated authority. The remaining shortfall of £106k is now requested as a further draw-down against the capital bid allocation to enable the implementation of the project, subject to the approval of the Gateway 5 report under Chief Officer delegated authority.

(vi) Guildhall Cooling Plant Replacement - release of £4.044m to deliver the scheme

- The aim of this project is to provide a long-term solution to meet the cooling needs of the Guildhall Complex in the most cost-effective and environmentally beneficial way.
- 'In principle' central funding of up to £4.433m from the reserves of the three main funds has been agreed as part of the 2020/21 annual capital bids process to replace the end-of life infrastructure.
- The proposal is for the release of the remaining funding of £4.044m to deliver the scheme, subject to the approval of the Gateway 4c and Gateway 5 reports under delegated authority.
- The £4.044m includes a contribution of £201k from Bridge House Estates, which requires the separate approval of the Bridge House Board.
- Note that the value for money issues that may arise from the progression of the current design option will be further considered by Members when the project reaches gateway 5, given the complex interactions with the wider Guildhall Major Refurbishment proposals.

(vii) BEMS Phase 1 Stage 2 (Walbrook Wharf and LMA) - release of up to £254k to deliver the scheme

- The aim of this Phase 1 project is to replace life expired building energy management systems at the highest priority sites to ensure maximum energy efficiency. This stage 2 proposal relates to Walbrook Wharf and the LMA.
- 'In principle' central funding from City Fund reserves was approved as part of the £2021/22 annual capital bids.
- The request is for the release of up to £254k to install the new systems, subject to the relevant gateway approvals.

(viii) Climate Action Strategy – Year 2 Cool Streets and Greening - release of up to £1.6m to deliver year 2 schemes

- Cool Streets and Greening is a Climate Action Strategy programme to pilot climate resilient streets and open spaces in the Square Mile. Approval is now sought to draw-down funding to progress Year 2 schemes.
- 'In principle' central funding from City Fund central reserves (OSPR) for this programme was agreed as part of the Climate Action Strategy allocation in the 2021/22 annual capital bid round.
- Year 2 comprises two elements:
  - £750K to enable redesigns of six existing sites to incorporate installation of climate resilience measures.
  - £550-850K (depending on the number of sites identified) for the identification, design and implementation of additional sites through the Cubic Mile project in conjunction with British Geological Survey, the Heat Resilient Highways risk appraisal and Citywide Greening and Biodiversity.
- The proposal is for the release of up to £1.6m, subject to the approval of individual Gateway 5 reports for the various projects mentioned above.

(ix) Bank Junction Improvements – £0.7m top up to meet construction price increases

- This project is to improve the safety, air quality and pedestrian experience of the area around the Bank junction to reflect the historic and iconic surroundings with the appropriate sense of place.
- Central funding from the On Street Parking Reserve of up to £4m has previously been agreed for this high-profile scheme. Latest estimates indicate a potential increase in highway construction costs of up to £700k and a request for top-up funding via the 2022/23 annual capital bid process has been agreed in principle.
- This request is for approval to draw down these additional funds to allow the preferred option to be progressed.

**17/03/2022 P&R Delegated (for RASC)**

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