



## General Purposes Committee of Aldermen

**Date:** TUESDAY, 19 OCTOBER 2021

**Time:** 10.45 am

**Venue:** HYBRID PUBLIC MEETING (ACCESSIBLE REMOTELY)  
<https://youtu.be/SohRsNMDVfE>

**Members:** Alderman Sir David Wootton (Chairman)  
The Rt Hon. the Lord Mayor, Alderman William Russell (Deputy Chairman)  
Alderman Ian Luder  
Alderman Nick Anstee  
Alderman Sir Alan Yarrow  
Alderman Sir Andrew Parmley  
Alderman Sir Charles Bowman  
Alderman Sir Peter Estlin  
Alderman Vincent Keaveny  
Alderman & Sheriff Alison Gowman  
Alderman David Graves  
Alderman John Garbutt  
Alderman Timothy Hailes  
Alderman Professor Michael Mainelli  
Alderman Baroness Scotland  
Alderman Robert Howard  
Alderman Alastair King  
Alderman Gregory Jones QC  
Alderman & Sheriff Nicholas Lyons  
Alderman Prem Goyal  
Alderman Professor Emma Edhem  
Alderman Robert Hughes-Penney  
Alderwoman Susan Langley  
Alderman Bronek Masojada  
VACANCY

**Enquiries:** Lorraine Brook  
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### **Public access to the hybrid meeting**

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

<https://youtu.be/SohRsNMDVfE>

A recording of the public element of the meeting will be available via the above link following the end of the meeting and will be accessible for up to one municipal year. Please note: on-line meeting recordings do not constitute the formal minutes of a meeting: minutes are written and are accessible 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**

# **AGENDA**

## **Part 1 - Public**

**1. APOLOGIES**

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

**3. MINUTES**

To approve the public minutes of the last meeting of the General Purposes Committee of Aldermen held on 14<sup>th</sup> September 2021.

**For Decision**  
(Pages 7 - 12)

**4. REVIEWED AND UPDATED WARDMOTE BOOK**

A joint report of the Town Clerk and Chief Executive and the Comptroller and City Solicitor relative to an updated version of the Wardmote Book: the City Corporation's technical manual for ward elections.

**For Information**  
(Pages 13 - 172)

**5. ALDERMANIC MEETINGS AND ELECTIONS 2022**

A report of the Town Clerk and Chief Executive relative to the proposed schedule of Aldermanic elections and the revised programme of Aldermanic meetings in 2022.  
(TO FOLLOW)

**For Decision**

**6. SHRIEVAL PLAN 2021/2022**

To receive the 2021/2022 Shrieval Plan.

**For Information**  
(Pages 173 - 176)

**7. PRIVILEGED STATUS FOR 256 (CITY OF LONDON) FIELD HOSPITAL**

A report of the City Remembrancer relative to Privileged Status for 256 (City of London) Field Hospital.

The Committee is asked to approve the recommendation and make recommendation to the Court of Aldermen thereon.

**For Decision**  
(Pages 177 - 182)

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

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

**10. EXCLUSION OF THE PUBLIC**

MOTION - That, in accordance with the Court of Aldermen's Disclosure Arrangement (Standing Order 25), the public shall be excluded from the meeting for the following items of business on the grounds that the Chairman and Deputy Chairman of the General Purposes Committee of Aldermen have determined, having had due regard to the Disclosure Arrangement, that disclosure should not be permitted.

**For Decision**

**Part 2 - Non-Public**

**11. NON-PUBLIC MINUTES**

To approve the non-public minutes of the last meeting of the General Purposes Committee of Aldermen held on 14<sup>th</sup> September 2021.

**For Decision**  
(Pages 183 - 186)

**12. NON-PUBLIC OUTSTANDING ACTIONS LIST**

To note the non-public outstanding actions in respect of the General Purposes Committee of Aldermen's work programme.

**For Information**  
(Pages 187 - 190)

**13. MINUTES - MAGISTRACY AND LIVERY SUB (GENERAL PURPOSES) COMMITTEE**

To note the minutes of the last meeting of the Magistracy and Livery Sub (General Purposes) Committee held on 22<sup>nd</sup> September 2021.

**For Information**  
(Pages 191 - 196)

**14. LEGAL WORK COMMISSIONED BY THE COURT OF ALDERMEN (COST IMPLICATIONS)**

The Comptroller and City Solicitor to be heard.

**For Information**

**15. PLATINUM JUBILEE ARRANGEMENTS**

The City Remembrancer to be heard.

**For Information**

**16. LORD MAYOR'S SHOW - UPDATE**

The Chair of the Lord Mayor's Show Ltd to be heard.

**For Information**

**17. FORTHCOMING EVENTS**

To note the lists of forthcoming events and hospitality to be managed by the Events Teams at Mansion House and Guildhall (Remembrancer's Department).

**For Information**  
(Pages 197 - 202)

**18. NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

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

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## GENERAL PURPOSES COMMITTEE OF ALDERMEN Tuesday, 14 September 2021

Minutes of the meeting of the General Purposes Committee of Aldermen held at  
Guildhall on Tuesday, 14 September 2021 at 10.45 am

### Present

#### Members:

Alderman Sir David Wootton (Chairman)  
The Rt Hon. the Lord Mayor, Alderman William Russell (Deputy Chairman)  
Alderman Sir Andrew Parmley  
Alderman Sir Charles Bowman  
Alderman Sir Peter Estlin  
Alderman Vincent Keaveny  
Alderman & Sheriff Alison Gowman  
Alderman David Graves  
Alderman John Garbutt  
Alderman Timothy Hailes  
Alderman Professor Michael Mainelli  
Alderman Robert Howard  
Alderman Alastair King  
Alderman Gregory Jones QC  
Alderman & Sheriff Nicholas Lyons  
Alderman Prem Goyal  
Alderman Professor Emma Edhem  
Alderwoman Susan Langley  
Alderman Bronek Masojada

#### Officers:

Polly Dunn	- Town Clerk's Department
Rhiannon Leary	- Town Clerk's Department
Sarah Phillips	- Town Clerk's Department
Michael Cogher	- Comptroller and City Solicitor
Paul Double	- City Remembrancer
Paul Wright	- Remembrancer's Department
Nigel Lefton	- Remembrancer's Department
Caroline Jack	- Executive Director and Private Secretary to the Lord Mayor
Adam Rout	- Mansion House
Mark Gettleeson (Item 3)	- Town Clerk's Department
Sonia Virdee	- Chamberlain's Department
Bukola Soyombo	- Chamberlain's Department

#### 1. APOLOGIES

Apologies for absence were received from Aldermen Nicholas Anstee, Sir Alan Yarrow, Robert Hughes-Penney and Baroness Patricia Scotland of Asthal Q.C.

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

There were no declarations.

3. **ELECTION ENGAGEMENT ACTIVITIES - UPDATE**

Mark Gettleson (Election Engagement Manager) provided an update for the Committee in respect of the City Corporation's election engagement activities.

Members were advised that initial feedback about the voter registration process had indicated that a large majority of people were unclear about the City's electoral processes, including voter registration and how to stand for election. Members were advised that significant progress had been made over recent months with the aim of enhancing provision of clear information about all aspects of the City's electoral arrangements, particularly in an enhanced digital format.

It was noted that the new elections website (<https://www.speakforthecity.com/>) had recently gone live and information about this site was being promoted as widely as possible. Mr Gettleson provided a walk-through of the website which provided clear information about the registration process for both residents and workers in the City; it enabled individuals to check how many votes were allocated to a registered business and the key point of contact at the business; and it also provided clarification about the eligibility criteria and how to stand for election. Information about candidates would be accessible on the site in due course. It was noted that the aim was to direct as much traffic as possible so various tools and social media platforms would be used to profile the site. Information about the site and how to profile it would be shared with Members and officers across the organisation, particularly those departments that engaged with external stakeholders. Members stressed the importance of corporate-wide input into this activity in order to maximise voter registration and promote greater diversity amongst future candidates.

Members were advised that enhanced functionality had been introduced which enabled officers to be proactive and follow up where responses were not received from individual businesses in respect of registration. Ahead of the registration deadline of 16 December 2021, data processing was well underway, and it was evident that a large number of registrants had not features on the 2020 Ward Lists. It was noted that updated information from the City Occupier's Database (COD) would be sent to each Alderman once the latest tranche of updates had been completed.

On behalf of the Committee, the Chairman thanked Mr Gettleson for his update.

**Resolved:-** That the update be noted.

4. **ALDERMANIC ELECTIONS AND MEETING DATES IN 2022**

The Committee considered a report of the Town Clerk setting out a revised programme of meeting dates for the General Purposes Committee of Aldermen and the Court of Aldermen in 2022.



The revised programme of meetings in 2022 was set out alongside the dates of the Wardmotes which were expected to be held in 2022, for up to nine Aldermanic elections to take place as of March 2022. The paper before Members identified where dates for meetings of the General Purposes Committee of Alderman or the Court of Aldermen would be revised, or where additional meetings would be scheduled, to reflect the Aldermanic election timetable.

There was some discussion regarding the proposed electoral timetable on the basis that at previous meetings of the General Purposes Committee of Aldermen in 2020 and in early 2021, the Committee had agreed to defer Aldermanic elections for a number of reasons and elections would not therefore take place before March 2022. As the Court of Common Council's Ward Elections would take place on 24 March 2022 (for contested seats), some Members queried why Aldermanic elections could not commence before 11 May 2022. Further to this, clarification was sought as to why the elections had to be staggered across four months rather than holding them all on one date, where vacancies would have already arisen before March 2022 in normal circumstances. Several Members commented on the risk of being seen to manage and configure the electoral arrangements which was not, in their mind, in the spirit of transparency.

During the discussion the following points were made:-

- Require clarity about the rationale for the approach set out in the report;
- What are the specific considerations as to Aldermanic elections should not be triggered as of the February 2021 meeting of the Court of Aldermen?;
- What are the specific considerations as to why some of the Aldermanic elections should not take place on 24 March 2022?;
- Noting that Aldermen are elected for life but the convention of surrendering one's Office upon six years is observed by Aldermen, what, if any, legal considerations apply i.e. can an Alderman be told when to surrender their Office and, if seeking re-election, be asked to serve for only 5 years?
- Important to consider, in good time, the induction arrangements for all new Aldermen. It was suggested that an away-day be scheduled in good time so all candidates were aware that this would take place and they were able to diarise this as a priority.
- Pre-election advice to potential candidates – it was suggested that there should also be greater clarity about who to contact amongst those on the Court about standing for election and the role/work of an Alderman. This would be an opportunity to meet serving Aldermen and really understand what the role entailed, prior to election.
- What is the legal basis for how the Aldermanic elections are to be managed and who has the authority to decide when elections take place?
- It is critical that the best calibre of individuals put themselves forward as candidates for election and for the 2022 electoral timetable to be made public as soon as possible.

Several Members commented on the need to stagger the elections to avoid a significant change in membership in one go. It was suggested that by accelerating the timetable and commencing elections before 11 May 2022, the

Court would not be criticised. Other Members however commented that whilst the elections had legitimately been delayed until March 2022, on the basis that Covid-19 restrictions had now lifted and parliamentary elections were held at the same time, as were the Common Council elections, the Court of Aldermen should avoid being out of step unless there was a clear rationale for a different approach.

As there was no majority support for the programme as set out in the report before Members, the Town Clerk was requested to submit a further report to the Committee's October meeting for further consideration. This report would address the points raised in the discussion so a rationale for the 2022 election timetable could be agreed in due course.

**Resolved:-** That the Town Clerk prepare, in consultation with the Comptroller and City Solicitor and the Electoral Services Manager, a report for submission to the 19 October 2021 meeting of the General Purposes Committee of Aldermen providing clarification about the various points raised in discussion on 14 September 2021, so a rationale for the 2022 election timetable can be agreed in due course.

## 5. **FUTURE WORK PROGRAMME**

The Chairman commented on the General Purposes Committee of Aldermen's Future Work Programme and advised Members that some preliminary discussions had taken place about the development of an Aldermanic Impact Report (Impact report 2021 – Court of Aldermen), following previous discussions about how this activity could highlight the work of the Court of Aldermen and the role of the Aldermen across a spectrum of internal and external spheres.

Members were advised that during a recent meeting involving several members of the Committee as well as officers from the Town Clerk's Department, Innovation and Growth, Communications, the Remembrancer's Department and Mansion House, the aim, format, audience and content of a future report were discussed. Noting that officers, with Member input, were working towards a deadline of 12<sup>th</sup> November 2021 (Silent Ceremony) for production of the Impact Report, each Alderman was encouraged to submit feedback to the Town Clerk by 1 October 2021 about their activities over the past 18 months – the focus being on having impact. Members were advised that an update would be provided at the Committee's next meeting.

Linked to the issue of explaining the role of an Alderman and demystifying the work of the Court, Alderman Masojada explained that he would be speaking at the City Briefing on 21 September and he would welcome any feedback from those that had previously spoken at a briefing.

**Resolved:-** That:-

- (i) the Future Work Programme be noted; and
- (ii) all contributions in respect of the Aldermanic Impact Report be submitted to the Town Clerk by 1 October 2021.

6. **INNOVATION AND GROWTH ADVISORY BOARD (IGAB): BOARD NOMINATIONS AND NAME CHANGE**

The Committee received a report of the Executive Director, Innovation and Growth presenting the names of the final two external Members of the Innovation and Growth Advisory Board (IGAB) for confirmation, and a proposed name change for the Innovation and Growth Advisory Board (IGAB). It was noted that these matters would be considered, for approval, by the Policy and Resources Committee on 16 September 2021.

In response to a query about access to reports and minutes associated with the meetings of the IGAB, the Chairman explained that the Advisory Board - effectively an informal working group- would undertake its work in private thus enabling the membership, of which there were a number of external stakeholders, to have restricted conversations.

**Resolved:-** That the report be noted.

7. **COMMON HALL - UPDATE**

The Chairman provided a brief update in respect of the arrangements for Common Hall (Election of Lord mayor) which would take place on 29 September 2021.

**Resolved:-** That the update be noted.

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

There were no questions.

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

There was no other business.

10. **EXCLUSION OF THE PUBLIC**

**RESOLVED** – That, in accordance with the Court of Aldermen's Disclosure Arrangement (Standing Order 25), the public shall be excluded from the meeting for the following items of business on the grounds that the Chairman and Deputy Chairman of the General Purposes Committee of Aldermen have determined, having had due regard to the Disclosure Arrangement, that disclosure should not be permitted.

11. **NON-PUBLIC MINUTES**

The Committee considered the non-public minutes of the meeting of the General Purposes Committee of Aldermen held on 5 July 2021.

**Resolved:-** That the non-public minutes of the meeting of the General Purposes Committee of Aldermen held on 5 July 2021 be approved as an accurate record.

12. **OUTSTANDING ACTIONS LIST**

The Committee considered the Non-Public Outstanding Actions List which had been updated since the last meeting on 5 July 2021.

**Resolved:** - That the Non-Public Outstanding Actions List be noted.

13. **FORTHCOMING EVENTS**

The Committee received the list of forthcoming events.

**Resolved:-** That the list of forthcoming events be noted.

14. **OLD BAILEY ARRANGEMENTS - UPDATE**

The Committee received an update in respect of arrangements at the Old Bailey.

**Resolved:-** That the update be noted.

15. **LORD MAYOR'S SHOW - UPDATE**

The Chairman of the Lord Mayor's Limited provided the Committee with an update about the arrangements for the Lord Mayor's Show 2021.

**Resolved:-** That the update be noted.

16. **ALDERMANIC ALLOWANCE - UPDATE**

The Chairman updated the Committee about the Aldermanic Allowance.

**Resolved:-** That the update be noted.

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

There were no questions.

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

There was no other business.

**The meeting ended at 12.27 pm**

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Chairman

**Contact Officer: Lorraine Brook**  
**tel. no.: 020 7332 1409**  
**lorraine.brook@cityoflondon.gov.uk**

<b>Committee(s)</b> Policy and Resources Committee General Purposes Committee of Aldermen	<b>Date:</b> 14 October 2021 19 October 2021
<b>Subject:</b> Reviewed and Updated Wardmote Book	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	<b>6 and 8</b>
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>No</b>
<b>Report of:</b> Comptroller and City Solicitor and Town Clerk and Chief Executive	<b>For Information</b>
<b>Report author:</b> Edward Wood, Chief Solicitor	

## Summary

The Wardmote Book is the City Corporation's technical manual for ward elections. Members recently requested sight of a new edition, in readiness for the resumption of elections in March 2022. An updated version is appended to this report with the latest revisions shown as tracked changes. The most topical or notable amendments are also set out in this report.

## Recommendation(s)

Members are asked to:

- Note the updates to the Wardmote Book.

## Main Report

### Background

1. The Wardmote Book is the City Corporation's technical manual for ward elections, which attempts to draw together and summarise the complex mosaic of national and local legislation, together with Acts of Common Council and convention. It is in regular use by officers and is also published on the City Corporation's website for use by Members, candidates, agents and members of the public who wish to learn about the detail of the electoral process. It is not meant to take the place of more focussed guidance for residents and businesses during the canvass, and for candidates and agents during the election period, which is also produced.

2. The Wardmote Book has historically been updated as the need has arisen, and generally in advance of the ordinary elections of Common Councilmen every four years. The last revision was in 2014, ahead of the ordinary elections in 2017. Members recently requested sight of a new edition, in readiness for the resumption of elections in March 2022. Given the City Corporation's drive to enhance voter engagement, it seems appropriate to build in a formal review process before each 'all out' election to be reported to the Policy and Resources Committee and the General Purposes Committee of Aldermen, as the Committees with responsibility for the oversight of elections. This will not prevent any revisions which become necessary in the interim, for example due to significant legislative changes, and it is proposed that the Committees will be informed of any such amendments between formal reviews.

## **Updates**

3. The updated version of the Wardmote Book is appended to this report and the most recent revisions are shown as tracked changes. The revised Wardmote Book has been prepared in consultation with relevant colleagues in the Comptroller and City Solicitor's Department, the Town Clerk's Department and the Remembrancer's Office. It is not proposed to summarise all of the changes in that document, but some of the most topical or notable amendments are as follows:
  - (i) There are various references to the impact of Covid-19 and the need to pause ward elections until 2022. The recent Acts of Common Council postponing elections of Common Councilmen and Aldermen have been referenced, together with the suspension of the relevant Aldermanic undertakings.
  - (ii) Gender neutral language has been adopted where possible.
  - (iii) There is a new reference to shared workspaces, to clarify that they generally do not satisfy the requirements for voter qualification (page 5).
  - (iv) There is a new reference to remote working, to clarify that employees who work remotely for part of the time, or even the majority of the time, can still count towards the workforce of a qualifying body in appropriate circumstances (page 7).
  - (v) There is some new text to clarify that a director, etc. of a qualifying body is automatically treated as having their principal or only place of work at the relevant premises, for the purposes of being appointed as a voter (page 8).
  - (vi) There is some new text to clarify the nationality requirement for Aldermanic candidates (pages 15-16).
  - (vii) There is reference to the fact that Common Councilmen elected in March 2022 will serve shorter three year terms (page 19).
  - (viii) Some additional information has been provided in relation to election publicity and election expenses (pages 31-32).

- (ix) The expenses and fees payable to Honorary Ward Clerks, Beadles and election staff have been updated (page 63).
  - (x) The timetable for the 'all out' Common Council elections in March 2022 has been fully updated (pages 74-78).
  - (xi) A new table of the main legislative provisions that apply to ward elections has been compiled for ease of reference (pages 91-92).
4. The new version of the Wardmote Book, with the tracking removed, will be published on the City Corporation's website in the normal way. It is worth noting that a new Elections Bill is currently before Parliament, that once enacted will affect the administration and conduct of elections generally and will also impact on ward elections in a number of ways. It is not likely to receive Royal Assent before the elections in March 2022 but will probably necessitate a further review of the Wardmote Book later in the year.

## **Conclusion**

5. The Wardmote Book has been updated ahead of the 'all out' elections of Common Councilmen in March 2022. The Elections Bill currently before Parliament will probably necessitate a further review of the Wardmote Book shortly thereafter.

### **Contact:**

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## **Appendix**

Updated Wardmote Book with tracked changes

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# **WARDMOTE BOOK**

## **City of London Wardmote Book**

### ***FOREWORD***

The City of London's unique electoral system pre-dates Parliament and the division of the City into wards is evident in the earliest written records of the City. The 25 wards were the military, judicial and administrative units for the area, being the equivalent of the rural hundred elsewhere. In early times, the Wardmote had a wide jurisdiction for the preservation of the peace and the power to inflict appropriate punishments. The development of the City's wards has provided each area with its own distinct history and traditions, some of which are still continued to this day.

The Saxon term "Wardmote" refers to a meeting of the ward held to announce the candidates ~~of~~at an election and then adjourned until after the poll has taken place. The Wardmote provides the electorate with an opportunity to ask the candidates questions and also for the candidates to address the electors present.

The City of London has retained its 25 wards, all of which are represented on the Court of Common Council by an Alderman and a number of Common Councilmen. Aldermen and Common Councilmen are elected by the electors of the ward who are registered to vote on the relevant ward list. Registration occurs annually when forms are sent to all residents and businesses in the City. The City has a unique demography with a relatively low residential population but ~~an estimated~~a very large daily working population ~~in excess of 300,000~~. This is reflected in its electorate: as well as residents, sole traders and equity partners ~~of companies~~in businesses are also able to vote and, in addition, a wide range of City organisations are able to nominate voters.

City of London ward elections are governed by Acts of Common Council, the City of London (Various Powers) Act 1957 and the City of London (Ward Elections) Act 2002. They are also governed, in part, by national legislation including Representation of the People Acts and Regulations. This Wardmote Book has been produced as a guide to the procedure to be followed at ward elections in the City of London, from the registration of voters to the qualifications of candidates in elections and the day of the election.

Any questions regarding information in this Wardmote Book can be referred to the Electoral Services Office, via e-mail at [electoralservices@cityoflondon.gov.uk](mailto:electoralservices@cityoflondon.gov.uk); or in writing addressed to the Electoral Services Office, Town Clerk's Dept., City of London, Guildhall, London EC2P 2EJ.

John Barradell  
Town Clerk & Ward Clerk

# CITY OF LONDON WARDMOTE BOOK

## ISSUE RECORD SHEET

SECTION	ISSUE DATE											
<b>Contents</b>	<b>15/12/06</b>	<b>11/12/09</b>	<b>18/02/13</b>	<b>13/06/14</b>	<a href="#"><u>27/08/21</u></a>							
<b>1</b>	<b>15/12/06</b>	<b>11/12/09</b>	<b>18/02/13</b>	<b>13/06/14</b>	<a href="#"><u>27/08/21</u></a>							
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<b>7</b>	<b>15/12/06</b>	<b>11/12/09</b>	<b>18/02/13</b>	<b>13/06/14</b>	<a href="#"><u>27/08/21</u></a>							
<b>App. 1</b>	<b>15/12/06</b>	<b>11/12/09</b>	<b>18/02/13</b>	<b>13/06/14</b>	<a href="#"><u>27/08/21</u></a>							
<b>App. 2</b>	<b>15/12/06</b>	<b>11/12/09</b>	<b>18/02/13</b>	<b>13/06/14</b>	<a href="#"><u>27/08/21</u></a>							
<b>App. 3</b>	<b>15/12/06</b>	<b>11/12/09</b>	<b>18/02/13</b>	<b>13/06/14</b>	<a href="#"><u>27/08/21</u></a>							
<b>App. 4</b>	<b>15/12/06</b>	<b>11/12/09</b>	<b>18/02/13</b>	<b>13/06/14</b>	<a href="#"><u>27/08/21</u></a>							
<b>App. 5</b>	<b>15/12/06</b>	<b>11/12/09</b>	<b>18/02/13</b>	<b>13/06/14</b>	<a href="#"><u>27/08/21</u></a>							
<a href="#"><u>App. 6</u></a>	<a href="#"><u>x</u></a>	<a href="#"><u>x</u></a>	<a href="#"><u>x</u></a>	<a href="#"><u>x</u></a>	<a href="#"><u>27/08/21</u></a>							
<b>Forms</b>	<b>15/12/06</b>	<b>11/12/09</b>	<b>18/02/13</b>	<b>13/06/14</b>	<a href="#"><u>27/08/21</u></a>							

	<b>Index</b>	<b>15/12/06</b>	<b>11/12/09</b>	<b>18/02/13</b>	<b>13/06/14</b>	<a href="#"><u>27/08/21</u></a>							
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## **CITY OF LONDON WARDMOTE BOOK**

### **Part A – Ward Elections in the City of London**

#### **SECTION:**

1. Introduction (pages **1** to **23**)  
Ward elections in the City of London
2. Electors (pages **34** to **112**)
  - (i) Qualification of voters at Ward elections.
  - (ii) Preparation of Ward lists
  - (iii) Determining claims and objections
  - (iv) Appeals relating to Ward lists
3. Candidates (pages **123** to **156**)
  - (i) Qualification for election to Common Council as Common Councilman
  - (ii) Qualification for election as Alderman
4. Notice of Election to Notice of Poll (pages **167** to **278**)
  - (i) Introduction: circumstances leading to the holding of a Ward election; calculation of time limits
  - (ii) Issue of Precepts
  - (iii) Notices of Ward elections
  - (iv) Issue of nomination papers
  - (v) Completion and delivery of nomination papers and consents to nomination
  - (vi) Decisions as to validity of nominations
  - (vii) Publication of statement of persons nominated
  - (viii) Notice of withdrawal of candidate(s) nominated
  - (ix) Notice of Poll
  - (x) Death of candidate nominated
5. Election Agents and Election Expenses (pages **289** to **356**)
  - (i) Appointment of election agents
  - (ii) Duties of election agents
  - (iii) Election publicity
  - (iv) Election expenses
  - (v) Claims and statements of election expenses
  - (vi) Returns and declarations
  - (vii) Calculation of time
6. Wardmote and Polling Arrangements (pages **367** to **613**)
  - (i) Introduction
  - (ii) The Wardmote
  - (iii) Positions involved in the electoral process
  - (iv) Procedure for a Wardmote
    - (a) for the election of Alderman; and

- (b) for the election of Common Councilman or Councilmen
- (v) The Poll
- (vi) Proxy voting
- (vii) Postal voting
- (viii) The count
- (ix) The Adjourned Wardmote
  - (a) for the election of Alderman; and
  - (b) for the election of Common Councilman or Councilmen
- (x) Ward expenses

7. Post Election (pages ~~624~~ to ~~646~~)

- (i) Election of Alderman
- (ii) Election of Common Councilman
- (iii) Notice of candidate elected
- (iv) Election expenses

Appendix 1 – ~~Wards of the City of London (pages ~~657~~ to ~~679~~)~~

Appendix 2 – ~~Aldermanic Election – timetable (pages ~~6870~~ to ~~713~~)~~

Appendix 3 – ~~Common Council Election – timetable (pages ~~724~~ to ~~768~~)~~

Appendix 4 – ~~Wardmote Agenda (pages ~~779~~ to ~~857~~)~~

Appendix 5 – ~~Envelopes containing election materials (pages ~~868~~ to ~~8890~~)~~

Appendix 6 – Legislative provisions (pages 91 to 92)

Forms (see below) (pages ~~8993-127131~~)

Index (pages ~~128132-134138~~)

**Part B – Forms**

<b>FORM</b>	<b>Page No.</b>
Form of Precept – Election of Alderman	<del>89</del> <u>93</u>
Form of Precept – Election of Common Councilman	<del>90</del> <u>94</u>
Form of Precept – Common Councilman on death of etc.	<del>91</del> <u>95</u>
Notice of Ward Election – Aldermanic	<del>92</del> <u>96</u>
Notice of Ward Election – Common Councilman	<del>93</del> <u>97</u>
Nomination Paper – Aldermanic	<del>94</del> <u>98</u>
Nomination Paper – Common Councilman	<del>95</del> <u>99</u>
Consent to Nomination – Aldermanic	<del>96</del> <u>100</u>
Consent to Nomination – Common Councilman	<del>97</del> <u>101</u>
Statement as to Persons Nominated – Aldermanic	<del>98</del> <u>102</u>
Statement as to Persons Nominated – Common Council	<del>99</del> <u>103</u>
Notice of Withdrawal of Candidature	<del>100</del> <u>104</u>
Notice of Poll	<del>101</del> <u>105</u>
Appointment of Election Agent	<del>102</del> <u>106</u>
Declaration of acceptance: appointment as Election Agent	<del>103</del> <u>107</u>
List of Election Agents	<del>104</del> <u>108</u>
Declaration of Secrecy	<del>105</del> <u>109</u>
Guidance for Voters	<del>106</del> <u>110</u>
Form of Ballot Paper	<del>107</del> <u>111</u>
Return to Precept for the election of Alderman	<del>108</del> <u>112</u>
Return to Precept for the election of Common Councilman	<del>109</del> <u>113</u>
Declaration of Office – Common Councilman	<del>110</del> <u>114</u>
Return as to Election Expenses	<del>111</del> <u>115</u>
Declaration as to Election Expenses – Candidate	<del>125</del> <u>129</u>
Declaration as to Election Expenses – Election Agent	<del>126</del> <u>130</u>
	<del>127</del> <u>131</u>

# **PART A**

## **WARD ELECTIONS IN THE CITY OF LONDON**



## SECTION 1

### **INTRODUCTION TO WARD ELECTIONS IN THE CITY OF LONDON**

1. The citizens and freemen of the City of London are a body politic and corporate by the name of "The Mayor, Commonalty and Citizens of the City of London" known collectively as the City of London Corporation, and referred to in this book as "the Corporation".
2. The government of the City of London is discharged by the Corporation through three assemblies: -
  - (a) the Court of Aldermen which consists of Aldermen, including the Lord Mayor of London, one elected for each of the City's Wards, and the Recorder of London;
  - (b) the Common Council which consists of the Lord Mayor, Aldermen and Common Councilmen; and
  - (c) Common Hall which consists of the Lord Mayor, Aldermen and Liverymen of the Livery Companies of the City of London, provided that the latter are Liverymen of at least one year's standing and are freemen of the City<sup>1</sup>.
3. This book is intended to provide a guide to Ward elections in the City of London for the election of Aldermen and Common Councilmen which are governed by Acts of Common Council<sup>2</sup>, local legislation<sup>3</sup> and public general

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<sup>1</sup> Preamble and Section 14 of the City of London Elections Act 1725.

<sup>2</sup> See for example the Act of Common Council of 14 July 1960 (as amended).

<sup>3</sup> See for example the City of London Municipal Elections Act 1849, the City of London Ballot Act 1887, ~~and~~ the City of London (Various Powers) Act 1957 [and the City of London \(Ward Elections\) Act 2002](#).

Acts of parliament<sup>4</sup>. The arrangements with regard to Common Hall are not covered by this book.

4. The City is divided into 25 Wards represented by one Alderman and between 2 and 10 Common Councilmen, depending on the size of the electorate in the Ward. There are 100 Common Councilmen in total<sup>5</sup>. A map showing the Wards of the City, together with the number of Common Councilmen for each Ward, appears at Appendix 1.
5. Historically, Aldermen have held office for life (but there is an understanding amongst the Aldermen that an Alderman should retire on reaching 70 years of age<sup>6</sup>) unless an Alderman resigns or is removed from office for "just and reasonable cause"<sup>7</sup>. However, a convention<sup>8</sup> has developed for Aldermen to surrender office after holding it for not more than six years, and in these circumstances they may stand for re-election in their Wards. [These arrangements are currently paused until March 2022 to avoid the need for an election during the coronavirus pandemic<sup>9</sup>.](#)
6. Ordinary elections for Common Councilmen historically took place each year in December. The date of election was changed in 2004 to take place on the second Friday of March of that year. The elections in 2005 and 2009 were similarly held on the second Friday of March but the term of office was for four years. Since 2013 elections are held every four years on either the third Wednesday in March, or the fourth Wednesday in March, although in certain rare circumstances ordinary elections will instead be held on another date to be determined by the Town Clerk in consultation with the Lord Mayor<sup>10</sup>. [Exceptionally, due to the coronavirus pandemic, the next ordinary elections](#)

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<sup>4</sup> See for example the Representation of the People Act 1983, section 191 of which applies certain parts of that Act to municipal elections in the City.

<sup>5</sup> Section 4 of the Act of Common Council of 4 November 2010.

<sup>6</sup> Resolution of the Privileges Committee of Aldermen, 12 January 1999.

<sup>7</sup> Act of 17 Richard II c.11-13 (1393-1394).

<sup>8</sup> The Preamble to the Act of Common Council of 10 September 1998 refers to a resolution of the Court of Aldermen that individual Aldermen should offer to surrender their Office as such on or before the expiry of a term of six years (or any subsequent such term). This proposal was approved by the General Purposes Committee of Aldermen at its meeting on 2 July 1998.

<sup>9</sup> [Resolution of the Court of Aldermen, 9 February 2021.](#)

<sup>10</sup> Section 2 of the Act of Common Council of 13 September 2012.

will not be held in 2021 and will instead be held on Wednesday ~~22 March 2017~~ 23 March 2022<sup>11</sup>. By-elections to fill a casual vacancy in the office of Common Councilman, arising from the death, disqualification or resignation of the incumbent, will also not be held prior to that date<sup>12</sup>. The Common Councilmen elected in 2022 will serve a three year term, allowing the election cycle to revert to normal, with the next ordinary elections after that being held in 2025.

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<sup>11</sup> Section 2 of the Act of Common Council of 8 October 2020.

<sup>12</sup> Section 3 of the Act of Common Council of 8 October 2020.

## SECTION 2

### ELECTORS

#### Qualification of voters at Ward elections

1. Persons entitled to vote in a Ward election in the City of London are those who, on the **qualifying date**: -

- (a) are **occupying** as **owner or tenant** the whole or part of any hereditament (i.e. land or building) which is shown in a local non-domestic rating list, which is in that Ward, and for which the rateable value shown in that list is not less than £10; or
- (b) are **resident** in that Ward; or
- (c) are persons appointed in writing as voters by a **qualifying body** which ordinarily **occupies** as **owner or tenant** any premises situated in that Ward, being premises in respect of which the right to appoint one or more voters depends on the size of the **workforce** there;

and who on that date and on the date of the poll are not subject to any **legal incapacity** to vote and are **Commonwealth citizens** or citizens of the Republic of Ireland or in the case of a Ward election for Common Councilmen, **relevant citizens of the European Union**. They must also be **of full age** and registered in the appropriate Ward list<sup>1</sup>. Further guidance on interpreting the words in bold font is set out in paragraphs 3 to 14 below.

2. It is not possible for persons to qualify to vote on the basis set out in sub-paragraphs 1(a) and 1(c) above at the same premises. Where this would otherwise be the case, only sub-paragraph 1(a) applies<sup>2</sup>.

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<sup>1</sup> Section 6 of the City of London (Various Powers) Act 1957, as amended.

<sup>2</sup> Section 3(8) of the City of London (Ward Elections) Act 2002.

3. **"Qualifying date"** means 1 September in the year preceding the year of the Ward election<sup>3</sup>. Thus, for elections in March ~~2017~~2022, the qualifying date is 1 September ~~2016~~2021.
4. **"Occupying"** means occupying any premises by personal physical presence for the purpose of carrying on any trade, business, profession or other occupation or calling<sup>4</sup>. In the case of a "qualifying body" (see paragraph 9 below) this includes such occupation through a director, officer, employee or agent of that body or through a holder of any paid or unpaid office for the performance of whose functions accommodation is being provided by the body<sup>5</sup>. Ownership or a tenancy without these features would not therefore be acceptable. If evidence of occupation is required, this could take the form of a letter describing the nature of the business conducted at the premises and confirming physical presence, customer lists or similar evidence that business is transacted or by inspection of the premises by the Corporation.
5. **"Owner or tenant"** encompasses those persons with an equitable interest in the land or building. As long as persons with such an interest are occupying the land by physical presence for a relevant purpose then this is sufficient for them to qualify as voters. However, a simple licence to occupy premises, with no exclusive possession – such as is often found in shared workspaces – would not satisfy this requirement. An unincorporated body which is occupying any premises shall be taken to be doing so as owner or tenant whether or not the person who is on its behalf the owner or tenant of those premises is occupying them<sup>6</sup>.
6. Determining whether a person is **"resident"** at a particular address for the purposes of electoral law generally falls to section 5 of the Representation of the People Act 1983 (as amended) but this provision does not apply to Ward elections<sup>7</sup>. There is, however, relevant case law concerning the ordinary meaning of the word "resident" for the purpose of qualification to vote at an election. The Court of Appeal has held<sup>8</sup> that the

<sup>3</sup> Section 3(4) of the City of London (Ward Elections) Act 2002.

<sup>4</sup> Section 6(3) of the City of London (Various Powers) Act 1957 as amended by section 3(1)(b) of the City of London (Ward Elections) Act 2002.

<sup>5</sup> Section ~~4~~2(1) of the City of London (Ward Elections) Act 2002.

<sup>6</sup> Section 2(2) of the City of London (Ward Elections) Act 2002.

<sup>7</sup> See section 191 of the Representation of the People Act 1983.

<sup>8</sup> Fox v Stirk and another; Ricketts v Registration Officer for the City of Cambridge [1970] 3 All ER 7.

following principles are applicable to the question of "residence": -

- (a) a person can have two residences and be resident in both;
- (b) temporary presence at an address does not make a person resident there, but temporary absence does not deprive a person of residence; and
- (c) a person is properly "resident" in a place when ~~his or her~~their stay has a considerable degree of permanence.

Determining "residence" is, therefore, a question of fact in each case.

- 7. It should be noted that a person *could* have two residences and be resident at both for the purposes of electoral registration<sup>9</sup> but for local government elections generally a person is not entitled to vote as an elector more than once in the same electoral area at any local government election, or in more than one electoral area for a local government area which is not a single electoral area<sup>10</sup>. Although this does not apply to Ward elections, there is a similar provision: a person cannot be registered in more than one Ward list or more than once in a Ward list and thus cannot vote in more than one Ward or more than once in a Ward at any Ward elections<sup>11</sup>. Also, the same offence is committed by a person voting more than once as for local government elections generally<sup>12</sup>.
- 8. There are some other statutory rules relating to specific circumstances concerning "residence": -
  - (a) For merchant seamen (persons whose employment is carried out on board sea going ships) residence is either at the place a person would have been resident at but for the nature of ~~his/her~~their occupation; or is at any hostel or club providing accommodation at which a person stays in the course of ~~his/her~~their

<sup>9</sup> See Fox v Stirk: the Court decided that there was a sufficient prospect of permanence to turn mere occupation into residence and students were not, therefore, prevented from being "resident" in their University town because their parental homes, at which they might also qualify for registration, were elsewhere.

<sup>10</sup> Section 2 of the Representation of the People Act 1983 (as amended).

<sup>11</sup> Section 3(6) of the City of London (Ward Elections) Act 2002.

<sup>12</sup> Section 61(2) of the Representation of the People Act 1983.

occupation<sup>13</sup>.

- (b) Members of the armed forces and their spouses (examples of persons with a "service qualification") on making a declaration (a "service declaration" because, for example they will be living overseas) that includes an address that they would have otherwise been residing at are to be treated for the purposes of registering to vote as being "resident" at the address given<sup>14</sup>.

9. **"Qualifying body"** means a body corporate (~~i.e. a company~~ for example a limited company or a livery company incorporated by royal charter) or an unincorporated body other than a partnership<sup>15</sup> (for example ~~a Livery Company~~ an unincorporated association or guild). Government departments and other bodies exercising statutory functions on behalf of the Crown are excluded<sup>16</sup>. A qualifying body that occupies premises in a Ward appoints voters depending on the size of its workforce. **"Workforce"** means all persons whose principal or only place of work on the qualifying date is the premises occupied by the body in the Ward<sup>17</sup>. Whilst this is ultimately a question of fact to be determined in each case, it will include employees who work remotely for part of the time, or even a majority of the time, provided that they retain a genuine connection to those premises as their principal or only place of work and attend as and when required. The number of persons that a body can appoint as voters is calculated as follows<sup>18</sup>: -

- (a) one for a workforce of up to 5, plus one for every 5 workers up to a workforce of 50 (where the excess is not divisible by 5 the remainder are disregarded for the purpose of the calculation); and
- (b) for a workforce that exceeds 50, the number is calculated as above plus one for every 50 further workers (where the excess is not divisible by 50 the remainder

<sup>13</sup> Section 6 of the Representation of the People Act 1983 (~~applied to Ward elections in the City by section 8 of the City of London (Various Powers) Act 1957~~).

<sup>14</sup> Section 14(1) and sections 15-17 Representation of the People Act 1983 (~~applied to Ward elections in the City by section 8 of the City of London (Various Powers) Act 1957~~).

<sup>15</sup> This means a "partnership" within the meaning of section 1 of the Partnership Act 1890. The partners in such a partnership will instead qualify in their own right if they meet the test in sub-paragraph 1(a) above.

<sup>16</sup> Section 6 of the City of London (Ward Elections) Act 2002.

<sup>17</sup> Section 2 of the City of London (Ward Elections) Act 2002.

<sup>18</sup> Section 3(2) and (3) of the City of London (Ward Elections) Act 2002.

are disregarded for the purpose of the calculation).

10. A qualifying body entitled to appoint more than one person as a voter must ensure, as far as is reasonably practicable, that the appointments it makes reflect the composition of its workforce<sup>19</sup>. In addition, to be appointed as a voter by a qualifying body, a person must meet certain conditions<sup>20</sup>: -

- (a) the person's principal or only place of work is within the City and has been for the whole of the twelve months preceding the qualifying date and the person works for the qualifying body proposing to appoint ~~him~~ them and has done during the whole of that period; or
- (b) the person has had ~~his~~ their principal or only place of work within the City for an aggregate period of at least:
  - (i) five years during the whole of which time ~~he has~~ they have worked exclusively for the qualifying body proposing to appoint ~~him~~ them; or
  - (ii) ten years in any other case;

and at least part of the period relied on falls within the five years preceding the qualifying date.

Note:- A person who on the qualifying date is a member of a board of directors or other governing body of a qualifying body shall, for these purposes, be treated as having their principal or only place of work on that date, and for the period during which they have been a member of that board or governing body, at the premises in respect of which the entitlement to appoint by that qualifying body arises.

11. A "**legal incapacity**" means the incapacity to vote in an election as a result of the common law and any disqualification imposed by the Representation of the People

<sup>19</sup> Section 4 of the City of London (Ward Elections) Act 2002.

<sup>20</sup> Section 5 of the City of London (Ward Elections) Act 2002.



Act 1983 or any other Act<sup>21</sup>. It includes: -

- (a) a convicted person detained in a prison or unlawfully at large when ~~he/she~~they should be detained<sup>22</sup>;
- (b) a person detained in a mental hospital pursuant to a court order or who is unlawfully at large when ~~he/she~~they should be detained<sup>23</sup>; and
- (c) a person guilty of a corrupt or illegal practice at an election, namely personation and voting offences<sup>24</sup>.

12. **"Commonwealth citizens"** includes any person who is a British citizen, British overseas territories citizen, British National (Overseas), British Overseas citizen or British subject<sup>25</sup> and a citizen of a Commonwealth country<sup>26</sup>.

13. **"Citizens of the European Union"** are persons holding the nationality of a Member State of the European Union. **"Relevant"** citizens are those citizens who are not Commonwealth citizens or citizens of the Republic of Ireland<sup>27</sup>. The inclusion of relevant citizens of the European Union as voters applies only to Ward elections for Common Councilmen, not to Ward elections for Aldermen.

14. **"Of full age"** means that the voter is aged 18 years or over on the date of the poll. A person who will become 18 years old during the year may be registered in a Ward list, but will only be entitled to vote if ~~he or she has~~they have attained that age before or on the date of the poll<sup>28</sup>.

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<sup>21</sup> Section 202 of the Representation of the People Act 1983.

<sup>22</sup> Section 3 of the Representation of the People Act 1983 (~~applied to Ward elections in the City by section 8 of the City of London (Various Powers) Act 1957~~).

<sup>23</sup> Section 3A of the Representation of the People Act 1983 (~~applied to Ward elections in the City by section 8 of the City of London (Various Powers) Act 1957~~).

<sup>24</sup> Sections 60, 61, 160, 173 and 185 of the Representation of the People Act 1983.

<sup>25</sup> Under the British Nationality Acts 1981 and 1983 or the British Overseas Territories Act 2002.

<sup>26</sup> Section 37 and Schedule 3 [Countries whose Citizens are Commonwealth Citizens] of the British Nationality Act 1981.

<sup>27</sup> Section 4 of the City of London (Various Powers) Act 1957 as amended by regulation 4 of the Local Government Elections (Changes to the Franchise and Qualification of Members) Regulations 1995.

<sup>28</sup> Schedule 6 paragraph 2 of the Representation of the People Act 1983.

## Preparation of Ward lists

15. The Town Clerk is under a duty<sup>29</sup> to prepare and publish by 15 February in each year a list for each Ward of persons entitled to vote in an election in that Ward in the coming year<sup>30</sup>. Ward lists are not capable of constant amendment and there is not a system of rolling registration for Ward elections in the City<sup>31</sup>.
16. The Town Clerk is required to make house to house or other sufficient enquiries of persons to establish their entitlement or qualification to be voters at a Ward election, and hence to be included in a Ward list<sup>32</sup>. This includes enquiries for the purpose of identifying qualifying bodies<sup>33</sup>. Before 1 September in each year the Town Clerk must send to each qualifying body known to him to be occupying any premises in the City a notice stating the maximum number of persons which that body may appoint as voters, and requesting the body to inform him, in writing, of the persons appointed<sup>34</sup>. The Town Clerk may require any person to give information required for the purposes of his duties in maintaining the Ward lists and, if they fail to comply, they shall be liable, on conviction, to a fine<sup>35</sup>.
17. Following enquiries, the Town Clerk must publish provisional Ward lists by 30 November in each year<sup>36</sup> and make them available for inspection. During the period between the date the provisional Ward lists are published and up to and including 16 December, any person whose name does not appear in any of the provisional lists may submit a claim to the Town Clerk for ~~his or her~~their name to be included and any person whose name appears in a provisional list may submit an objection to the Town

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<sup>29</sup> The duty is placed on the Town Clerk by section 7(1) of the City of London (Various Powers) Act 1957 as amended by section 3 of the City of London (Various Powers) Act 1968 (previously, the Secondary was under the duty to prepare such lists, but the amendment substituted the Town Clerk as the specified officer for this purpose).

<sup>30</sup> Section 7(5) of the City of London (Various Powers) Act 1957 as amended by the City of London (Ward Elections) Act 2002.

<sup>31</sup> Sections 13, 13A and 13B of the Representation of the People Act 1983 (as amended) provide for rolling registration. These provisions do not apply to Ward elections in the City.

<sup>32</sup> Section 7(2) of the City of London (Various Powers) Act 1957.

<sup>33</sup> Section 8(1) of the City of London (Ward Elections) Act 2002.

<sup>34</sup> Section 8(2) of the City of London (Ward Elections) Act 2002.

<sup>35</sup> Regulation 23 of the Representation of the People (England and Wales) Regulations 2001. Applied by section 7(8) and section 4 of the City of London (Various Powers) Act 1957 and regulations 22 and 70 of The Representation of the People Regulations 1950 (now superseded). In relation to qualifying bodies, applied by section 8(1) of the City of London (Ward Elections) Act 2002 and regulation 29 of The Representation of the People Regulations 1986 (now superseded).

<sup>36</sup> Section 7(3) City of London (Various Powers) Act 1957.

Clerk regarding the registration of any other person in the same provisional list<sup>37</sup> (see paragraphs 18 to 21). Final Ward lists must be published by 15 February and these are the definitive lists of persons entitled to vote in Ward elections to be held between 16 February and 15 February in the following year inclusive<sup>38</sup>. During this period, the Ward lists remain open for public inspection.

### **Determining claims and objections**

18. The Town Clerk determines all applications for, and objections to, a person's registration in a Ward list. Applications for registration must be available for public inspection until determined by the Town Clerk<sup>39</sup>. If no objection is made within five days, beginning with the day following the entry of an application on the list of applications, the application may be allowed<sup>40</sup>.
19. Objections may be made in respect of names included on the provisional Ward lists and claims for registration. An objection must be made in writing and signed and dated by the objector. It must state the name and address of the person against whom the objection is made, together with their electoral number, if they have one. It must also state the grounds of the objection, which can include the date upon which an elector becomes 18 years of age<sup>41</sup>. In addition, an objection must state the name of the objector, the objector's electoral number, address as shown on the Ward list and correspondence address if different<sup>42</sup>. An objection must be available for public inspection until determined by the Town Clerk<sup>43</sup>. The Town Clerk can ask for further information from the objector, if he feels that insufficient information has been provided, and take no further action until that information is supplied.
20. The Town Clerk has the power to disallow an objection if the objector is not entitled to object; to disallow an objection without a hearing if the objection is clearly without

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<sup>37</sup> Section 7(4) City of London (Various Powers) Act 1957.

<sup>38</sup> Section 7(5) City of London (Various Powers) Act 1957.

<sup>39</sup> Regulation 28 of the Representation of the People (England and Wales) Regulations 2001 ([2001 Regulations applied by section 7\(4\) and section 4 of the City of London \(Various Powers\) Act 1957](#))(equivalent to regulation 11(5) of the regulations of 1950).

<sup>40</sup> Regulation 29(4) of the Representation of the People (England and Wales) Regulations 2001.

<sup>41</sup> Schedule 6 paragraph 4 of the Representation of the People Act 1983.

<sup>42</sup> Regulation 27 of the Representation of the People (England and Wales) Regulations 2001.

<sup>43</sup> Regulation 28 of the Representation of the People (England and Wales) Regulations 2001.

merit; and to state that he intends to disallow an application or objection (for example because the particulars given in the application or objection do not entitle the applicant or objector to succeed). In the former case the Town Clerk must inform the objector. In the latter two cases he must send a notice stating the grounds for his opinion - and the applicant or objector may, within three working days, give notice that ~~he or she requires~~they require the application or objection to be heard<sup>44</sup>.

21. Unless the Town Clerk allows or disallows an application or objection he must send a notice to the applicant, or the objector and the person objected to, stating the time and place at which he proposes to hear the matter. The hearing must not be earlier than the third day or later than the seventh day after the date of the notice<sup>45</sup>. The applicant, or the objector and the person objected to (or a person acting on behalf of any of them), together with any other person who appears to the Town Clerk to be interested, are entitled to make written representations and appear and be heard at the hearing<sup>46</sup>. The Town Clerk determines the objection at the conclusion of the hearing.

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<sup>44</sup> Regulation 29 of the Representation of the People (England and Wales) Regulations 2001.

<sup>45</sup> Regulation 30 of the Representation of the People (England and Wales) Regulations 2001.

<sup>46</sup> Regulation 31 of the Representation of the People (England and Wales) Regulations 2001.

**—— Appeals relating to Ward lists**

22. An appeal lies to the Mayor's and City of London Court from any decision of the Town Clerk in relation to a claim by a person for ~~his or her~~their name to be included in a Ward list or in relation to any objection<sup>47</sup>.

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<sup>47</sup> Section 9 of the City of London (Various Powers) Act 1957.

## SECTION 3

### CANDIDATES

#### Qualification for election to Common Council as Common Councilman<sup>1</sup>

1. Except where ~~a person is disqualified~~ by any enactment, ~~he or she is~~ a person is qualified to be elected to the Common Council as a Common Councilman if at the date of nomination<sup>2</sup> and at the date of election that person is a freeman of the City<sup>3</sup> and is **of full age** and a **British subject** or a citizen of the Republic of Ireland or a **relevant citizen of the European Union** and: -
  - (a) is registered in the list of persons entitled to vote in any Ward ~~E~~lection; or
  - (b) **owns freehold or leasehold** land in the City; or
  - (c) has during the whole of the twelve months preceding the date of nomination, and has until the date of the election, resided in the City.
2. Further guidance on interpreting the words in bold font is set out in paragraphs 3 to 7 below.
3. A serving Common Councilman is "**disqualified**" from holding office by reason of bankruptcy, neglecting duties of the office for more than six consecutive months without reasonable cause or on conviction of fraud or any crime<sup>4</sup> for which a prison sentence (whether suspended or not) is imposed<sup>5</sup>. Disqualification due to bankruptcy will cease on discharge from bankruptcy. A person is not disqualified from election to the office of Common Councilman only by reason of the fact that ~~he or she rents~~ they rent a house from the Corporation<sup>6</sup>. A person may also be disqualified from election if they have been convicted or reported guilty of a corrupt or illegal practice by an election court<sup>7</sup>, or if they

<sup>1</sup> Section 5 of the City of London (Various Powers) Act 1957 (as amended).

<sup>2</sup> See Part A, Section 4 "Notice of Election to Notice of Poll" at pages 167 to 278 of this volume.

<sup>3</sup> There is an expedited procedure for applying for the freedom where the applicant wishes to stand as a candidate.

<sup>4</sup> Section 9 of the City of London Municipal Elections Act 1849.

<sup>5</sup> Interpretation adopted by the Court of Aldermen and the Policy and Resources Committee (at its meeting on 15 November 2001) and similar to the position for local government generally as provided for by section 80 of the Local Government Act 1972.

<sup>6</sup> Section 618(3) of the Housing Act 1985.

<sup>7</sup> Section 159 and section 160 of the Representation of the People Act 1983.

have been disqualified from being or becoming a member of a local authority on conviction for an offence relating to a disclosable pecuniary interest<sup>8</sup>. A number of local authority posts are also defined as politically restricted (normally senior positions such as the Head of Paid Service or Statutory Chief Officer, or other senior managers or staff who regularly advise members, for example)<sup>9</sup>. If a person holds one of these posts they are disqualified from being or becoming a member of any local authority<sup>10</sup>.

4. **"Of full age"** means that a person has attained 18 years of age<sup>11</sup>.
5. **"British subject"** means a person who has the status of a Commonwealth citizen under the British Nationality Act 1981<sup>12</sup>.
6. **"Citizen of the European Union"** are persons holding the nationality of a Member State of the European Union. **"Relevant"** citizens are those citizens who are not Commonwealth citizens or citizens of the Republic of Ireland<sup>13</sup>.
7. **"Owns freehold or leasehold"** will include, as a leasehold interest, a tenancy at will. If the property, whether freehold or leasehold, is transferred, conveyed or leased (as appropriate) to more than four persons, the maximum number of owners who can qualify under this provision is limited to the first four<sup>14</sup> named in the transfer, conveyance or lease (although the remaining owners could qualify as candidates through the alternative route of registration as electors in the Ward list *provided they are in occupation* by physical presence and for relevant purposes<sup>15</sup>).

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<sup>8</sup> Section 34(4) of the Localism Act 2011.

<sup>9</sup> Section 2 of the Local Government and Housing Act 1989.

<sup>10</sup> Section 1 of the Local Government and Housing Act 1989.

<sup>11</sup> Section 1 of the Family Law Reform Act 1969. This is consistent with the qualification age for candidates for local government elections generally (section 79 of the Local Government Act 1972) and for Parliamentary elections (section 17 of the Electoral Administration Act 2006). The minimum age for a freeman of the City was reduced from 21 to 18 by section 1 of the Act of Common Council of 6 November 2008.

<sup>12</sup> The expression "Commonwealth citizen" is used in the British Nationality Act 1981 and persons who under the now repealed British Nationality Act 1948 were British subjects are Commonwealth citizens under the 1981 Act (section 51 of the 1981 Act). Commonwealth citizen includes the following categories (section 37 of the 1981 Act): British citizen; British ~~Dependent~~ Overseas territories citizen; British National (Overseas); British Overseas citizen; British subject; and citizens of those countries set out in Schedule 3 to the Act of 1981. This is consistent with the position for local government elections generally: section 79 of the Local Government Act 1972.

<sup>13</sup> Section 4 of the City of London (Various Powers) Act 1957 [as amended by the Local Government Elections \(Changes to the Franchise and Qualification of Members\) Regulations 1995](#).

<sup>14</sup> Section 34(2) of the Law of Property Act 1925.

<sup>15</sup> See Part A Section 2 "Electors" at paragraph 4, page [45](#).

## Qualification for election as Alderman

8. To qualify for the office of Alderman a person must be of full age, ~~a British subject~~, an able and sufficient citizen and freeman of the City, not already an Alderman<sup>16</sup>, a Commonwealth citizen or a citizen of the Republic of Ireland<sup>17</sup> and at the time of nomination and election must either: -
- (a) be a justice of the peace<sup>18</sup>; or
  - (b) not be the subject of a debt relief restrictions order, an interim debt relief restrictions order, a bankruptcy restrictions order, a bankruptcy restrictions interim order or a debt relief restrictions undertaking<sup>19</sup>, and not have been convicted in the United Kingdom, the Channel Islands or the Isle of Man, of any imprisonable offence (whether or not sentenced to a term of imprisonment in respect of the offence)<sup>20</sup>.
9. There is no requirement for a person to reside within the Ward for which that person seeks election as an Alderman, and no requirement that a person is an owner or occupier of premises within the City.
10. The term "of full age" has the same meaning in relation to candidates for the office of Alderman as it does for candidates for the office of Common Councilman.

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<sup>16</sup> Acts of Common Council of 15 April 1714, 14 July 1960, 10 September 1998 and 16 May 2013.

<sup>17</sup> See the [opinion of the Law Officers dated 15 June 2021](#). Section 3 of the Act of Settlement 1701, as modified by Schedule 7 of the British Nationality Act 1981, prevents any person who is not a Commonwealth citizen or a citizen of the Republic of Ireland from assuming the office of Alderman. This is because the office of Alderman is an "office or place of trust" within the meaning of that section. Although Acts of Common Council post-1978 cite the Act of Common Council of 15 April 1714 as additionally requiring candidates for the office of Alderman to be British subjects, this is not in fact the case and was probably based on the separate requirement to be a freeman. The requirement for freemen to be British subjects was first introduced by an Order of Common Council of 14 February 1427, as only this group would have been able to make the freeman's declaration and oath of natural allegiance to "our Sovereign Lady". However, EU citizens were admitted to the freedom from 1996, allowing them to make a declaration of local allegiance to Her Majesty. By an Act of Common Council of 25 March 1999 the freedom was opened to persons of any nationality. References to 'British subject' in legislation passed after the commencement of the British Nationality Act 1981 are to a residual class of individuals only (see e.g. sections 30 and 31 of the 1981 Act) and the term is no longer treated as synonymous with 'Commonwealth citizen'.

<sup>18</sup> Section 3(2) of the Act of Common Council of 10 September 1998 (as substituted by section 2 of the Act of Common Council of 16 May 2013). Historically all Aldermen were magistrates, but section 76(1) of the Access to Justice Act 1999 provides that Aldermen shall not be justices of the peace unless appointed by the Lord Chancellor in accordance with the Justices of the Peace Act 1997.

<sup>19</sup> These terms are defined in section 1 of the Act of Common Council of 10 September 1998 (as substituted by section 4 of the Act of Common Council of 16 May 2013) and in schedules 4A and 4ZB to the Insolvency Act 1986.

<sup>20</sup> Section 3(3) of the Act of Common Council of 10 September 1998 (as substituted by section 2 of the Act of Common Council of 16 May 2013).



11. The term "Commonwealth citizen" includes any person who is a British citizen, British overseas territories citizen, British National (Overseas), British Overseas citizen or British subject<sup>21</sup> and a citizen of a Commonwealth country<sup>22</sup>.
- ~~11. The pre-requisite that candidates be "British subjects" probably arises from the requirement that all candidates for the office of Alderman must be Freemen of the City<sup>23</sup> as only this group would have been able to make the Freeman's declaration and oath of natural allegiance to "our Sovereign Lady"<sup>24</sup>. (Admission to the City Freedom was, however, revised in 1996 to allow non-British candidates to make a declaration of local allegiance to "Her Majesty"<sup>25</sup>.) The position can probably be construed as importing a requirement for allegiance to the Crown, via the Freedom. In the absence of clarity over a nationality requirement, a purposive approach is to interpret "British subject" as meaning the same for an Aldermanic candidate as it does for a candidate for Common Councilman<sup>26</sup>.~~
12. A person is disqualified from holding the office of Alderman for the same reasons that would disqualify a person from the office of Common Councilman<sup>27</sup>.

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<sup>21</sup> Under the British Nationality Acts 1981 and 1983 or the British Overseas Territories Act 2002.

<sup>22</sup> Section 37 and Schedule 3 [Countries whose Citizens are Commonwealth Citizens] of the British Nationality Act 1981.

<sup>23</sup> The Act of Common Council of 15 April 1714 does not require Aldermen to be "British subjects" (it does require them to be Freemen) but the Acts of Common Council of 10 September 1998 and 16 May 2013 cite the earlier Act as authority for this pre-requisite.

<sup>24</sup> See section 10 of the City of London Municipal Elections Act 1849.

<sup>25</sup> This allowed EU nationals to become Freemen and thus stand for election as Common Councilmen consistent with the Local Government Elections (Changes to the Franchise and Qualification of Members) Regulations 1995 (amending section 5 of the City of London (Various Powers) Act 1957). See also section 2 of the Act of Common Council of 25 March 1999 which finally removed all nationality restrictions relating to the City Freedom.

<sup>26</sup> See paragraph 5 above.

<sup>27</sup> See paragraph 3 above.

## SECTION 4

### NOTICE OF ELECTION TO NOTICE OF POLL

#### **Introduction**

1. This section sets out the procedure to be followed for Ward elections for the office of Alderman and Common Councilman from the issue of a Precept for a Ward election through to the Notice of Poll.

#### ***Circumstances leading to the holding of a Ward election***

2. Aldermen have historically held office for life, only being removed for "just and reasonable cause"<sup>1</sup> but a convention<sup>2</sup> has developed whereby they surrender office after holding it for not more than six years. Ward elections for the office can therefore arise on the death or disqualification<sup>3</sup> of the incumbent, or where the incumbent offers to resign or surrender the office (whether or not this is to seek re-election or election to another Ward). Where any of these occur, the Town Clerk must report the matter to the next regular meeting of the Court of Aldermen<sup>4</sup>. For ease of reference, a summary of the timetable for Ward elections for the office of Alderman appears at Appendix 2. However, due to the coronavirus pandemic, there will be no Aldermanic elections before March 2022<sup>5</sup>.
3. As regards an Alderman resigning or surrendering their office, there are three permutations: -

- (a) An Alderman resigns and does not intend to seek re-election in any

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<sup>1</sup> Act of 17 Richard II c.11-13 (1393-1394).

<sup>2</sup> The Preamble to the Act of Common Council of 10 September 1998 refers to a resolution of the Court of Lord Mayor and Aldermen that individual Aldermen should offer to surrender their Office as such on or before the expiry of a term of six years (or any subsequent such term). This proposal was approved by the General Purposes Committee of Aldermen at its meeting on 2 July 1998.

<sup>3</sup> As to disqualification, the grounds are the same as for Common Councilmen (see Part A, Section 3 "Candidates" paragraph 3 at pages 123-134).

<sup>4</sup> Section 3 of the Act of Common Council of 14 July 1960 (as substituted by section 2 of the Act of Common Council of 17 May 1979).

<sup>5</sup> Resolution of the Court of Aldermen, 9 February 2021 and section 3 of the Act of Common Council of 1 July 2021.

Ward. An Alderman can: -

- (i) choose to continue in office until immediately prior to the Wardmote<sup>6</sup> (meaning midnight on the day preceding the Wardmote<sup>7</sup>); or
  - (ii) choose to leave the office forthwith, which will take effect at the end of the meeting of the Court of Aldermen to which the resignation is reported<sup>8</sup>.
- (b) An Alderman resigns and seeks re-election in the same Ward<sup>9</sup>. They are deemed to continue in office until midnight on the day preceding the Wardmote<sup>10</sup>. If successful in the election, their service in the office is deemed not to have been interrupted by the surrender of the office.
- (c) An Alderman resigns the office for a Ward but with the intention of seeking election to the office in another Ward. An Alderman: -
- (i) cannot stand for election in one Ward if they are already an Alderman<sup>11</sup> in another Ward;
  - (ii) can elect not to continue in office until immediately prior to the Wardmote in their current Ward, in which event the resignation will take effect when reported to the next Court of Aldermen<sup>12</sup> or at a subsequent date specified by the Alderman to the Court of Aldermen; and

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<sup>6</sup> Section 3A(1A) of the Act of Common Council of 14 July 1960 (as inserted by section 3(2) of the Act of Common Council of 4 June 2001).

<sup>7</sup> Section 3A(2) of the Act of Common Council of 14 July 1960 (as substituted by section 3(3) of the Act of Common Council of 4 June 2001).

<sup>8</sup> Section 3 of the Act of Common Council of 14 July 1960 (as substituted by section 2 of the Act of Common Council of 17 May 1979).

<sup>9</sup> Section 3A(1) of the Act of Common Council of 14 July 1960 (as inserted by section 4(ii) of the Act of Common Council of 10 September 1998).

<sup>10</sup> Section 3A(2) of the Act of Common Council of 14 July 1960 (as substituted by section 3(3) of the Act of Common Council of 4 June 2001).

<sup>11</sup> Acts of Common Council of 15 April 1714, 10 September 1998 and 16 May 2013.

<sup>12</sup> Section 3 of the Act of Common Council of 14 July 1960 (as amended by section 2 of the Act of Common Council of 17 May 1979).

- (iii) a period of 19 days must elapse between the resignation from the current Ward taking effect and the Wardmote in the other Ward; this is because the latest time for the delivery of nomination papers is not later than noon on the 19<sup>th</sup> day before the day fixed for the holding of the Ward election<sup>13</sup>.

4. Common Councilmen hold office for a term of four years and Ward elections for that office can therefore arise in the following circumstances: -

- (a) When ordinary Ward elections for the whole number of Common Councilmen take place. These are held in every fourth year, on either the third Wednesday in March, or the fourth Wednesday in March, or in certain circumstances on another date to be determined by the Town Clerk in consultation with the Lord Mayor<sup>14</sup>. Due to the coronavirus pandemic, the next ordinary elections for the whole number of Common Councilmen will take place a year delayed on 22 March 201723 March 2022<sup>15</sup>. Exceptionally, therefore, the Common Councilmen elected in March 2017 will serve five year terms and the Common Councilmen elected in March 2022 will serve shorter three year terms. Incumbent Common Councilmen cease to hold office at midnight on the day immediately preceding the day on which elections take place<sup>16</sup>. But incumbent Common Councilmen who are re-elected retain their existing committee memberships<sup>17</sup>.

- (b) On a vacancy caused by the: -

- (i) election of the incumbent Common Councilman as an Alderman;

<sup>13</sup> Section 7(1) of the Act of Common Council of 14 July 1960 (as substituted by section 4 of the Act of Common Council of 6 November 2008).

<sup>14</sup> Section 2 of the Act of Common Council of 13 September 2012.

<sup>15</sup> Section 2 of the Act of Common Council of 8 October 2020.

<sup>16</sup> Section 3 of the Act of Common Council of 13 September 2012.

<sup>17</sup> Section 54 of the City of London (Various Powers) Act 1954.

- (ii) death of the incumbent Common Councilman<sup>18</sup>;
- (iii) resignation of office by the incumbent Common Councilman<sup>19</sup>;  
or
- (iv) disqualification of the incumbent Common Councilman<sup>20</sup>

the successor holding office for the remainder of the unexpired term of the previous incumbent. However, due to the coronavirus pandemic, by-elections to fill a casual vacancy in the office of Common Councilman are also suspended until 23 March 2022<sup>21</sup>.\_\_\_\_\_

5. For ease of reference a summary of the timetable for Ward elections for the office of Common Councilman appears at Appendix 3.

#### ***Calculation of time limits***

6. There are prescribed time limits for the various steps in the procedure for Ward elections, and these are set out in the paragraphs that follow. For the purpose of calculating the prescribed time limits, the following days should be discounted: a Sunday; a day of "the Christmas break" (i.e. the period beginning with the last week day before Christmas Day and ending with the first week day after Christmas day which is not a bank holiday); a day of the "Easter break" (i.e. the period beginning with the Thursday before and ending with the Tuesday after Easter Day); a day of "a bank holiday break" (i.e. any bank holiday<sup>22</sup> not included in the Christmas break or the Easter break and the period beginning with the last week day before that bank holiday and ending with the next week day which is not a bank holiday); or a day appointed for

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<sup>18</sup> Section 6 of the Act of Common Council of 4 October 1973.

<sup>19</sup> Sections 58 and 59 of the City of London (Various Powers) Act 1900.

<sup>20</sup> See Part A, Section 3 "Candidates" paragraph 3 at pages ~~123~~-134.

<sup>21</sup> Section 3 of the Act of Common Council of 8 October 2020.

<sup>22</sup> Bank holidays: Easter Monday; last Monday in May; last Monday in August; 26 December, providing this is not a Sunday; and 27 December, in a year when 25 or 26 December is a Sunday (all by virtue of section 1(1) and Schedule 1 of the Banking and Financial Dealings Act 1971); New Year's Day or 2 January as appropriate (since 1974 and by proclamation in accordance with section 1(3) of the Banking and Financial Dealings Act 1971); and first Monday in May (since 1978 and declared as a bank holiday by royal proclamation).

public thanksgiving or mourning<sup>23</sup>.

### **Issue of Precepts**

7. A Precept for the holding of a Ward election must be issued by the Lord Mayor not later than the 28<sup>th</sup> day before the day fixed for the holding of the election<sup>24</sup> (that is, the day of the Wardmote<sup>25</sup>). The form of the Precept, which is not prescribed by Act of Common Council, will vary depending on whether it is for: (a) the election of an Alderman; (b) the election of Common Councilmen for the term of four years; or (c) a vacancy arising due to the death, resignation or disqualification of a Common Councilman<sup>26</sup>.

### **Notices of Ward elections**

8. A Notice of Ward election must be prepared and published by the Ward Clerk not later than the 25<sup>th</sup> day before the day fixed for the holding of the Ward election<sup>27</sup>. The Town Clerk is the Ward Clerk for all Ward elections<sup>28</sup>. The notice is published by fixing it to some conspicuous place or places within the Ward and by sending a copy to each elector at the address in respect of which they are registered in the Ward list<sup>29</sup>. The form of the Notice is prescribed by Act of Common Council<sup>30</sup>. The Town Clerk in consultation with the Comptroller and City Solicitor can amend the form of the Notice when necessary<sup>31</sup>.

### **Issue of nomination papers**

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<sup>23</sup> Section 1 of the Act of Common Council of 9 April 1970.

<sup>24</sup> Section 5 of the Act of Common Council of 14 July 1960.

<sup>25</sup> See Part A, Section 6 "Wardmote and Polling Arrangements" (pages 367 to 643).

<sup>26</sup> See Part B of this volume for examples of the Precept.

<sup>27</sup> Section 6(1) of the Act of Common Council of 14 July 1960 (as substituted by section 3 of the Act of Common Council of 6 November 2008).

<sup>28</sup> See Part A, Section 6 "Wardmote and Polling Arrangements" paragraph 8 at pages 389-3940.

<sup>29</sup> Section 6(2) of the Act of Common Council of 14 July 1960.

<sup>30</sup> ~~Section 3 and the Schedule of the Act of Common Council of 9 April 1970.~~ Section 6(1) of the Act of Common Council of 14 July 1960 (as substituted by section 3 of the Act of Common Council of 6 November 2008) and the Schedule (as substituted by section 1(4) of the Act of Common Council of 7 July 1977). See Part B of this volume for examples of the Notice of Ward Election.

<sup>31</sup> Section 15 of the Act of Common Council of 14 July 1960 (inserted by section 4(4) of the Act of Common Council of 4 June 2001).

9. The Notice of Ward election gives electors notice of the times and place where persons wishing to stand as candidates in the forthcoming election can obtain nomination papers. The form of the nomination paper will vary depending on whether the Ward election is for that of a Common Councilman or an Alderman<sup>32</sup>. It can be amended when necessary by the Town Clerk in consultation with the Comptroller and City Solicitor<sup>33</sup>. The Notice also draws electors' attention to the times and place for the delivery of the completed nomination papers.

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<sup>32</sup> See Part B of this volume for examples of nomination papers.

<sup>33</sup> See footnote ~~28~~ 31 above.

**Completion and delivery of nomination papers and consents to nomination**

10. A nomination paper in the prescribed form must be completed for each person wishing to be a candidate at a Ward election<sup>34</sup>. When completing the nomination paper, the following information must be included<sup>35</sup>: -

- (a) **Full name, with surname appearing first.** Ideally the full legal name of the candidate should be given. Certain abbreviations have been held to be a sufficient statement of a person's name<sup>36</sup> and the general law on the point is that no misnomer or inaccurate description of any person in a nomination paper shall affect the validity of that paper if the description of that person is such as to be commonly understood<sup>37</sup>. If there is any doubt about a candidate's name the legal name should be given first and should be followed by the reputed name: "XX, commonly known as YY".
- (b) **Place of residence.** This is the candidate's home address. In the case of a Ward election for Common Councilman there is no requirement for a candidate to include ~~his or her~~their "qualifying address" (that is, the address in respect of which ~~he or she is~~they are registered in any Ward list)<sup>38</sup>.
- (c) **Description.** The nomination paper specifies that the description should not exceed six words and this limit arises because the description subsequently appears on the ballot paper. The limit reflects that which applies nationally to elections for councillors of principal

<sup>34</sup> Section 7(1) of the Act of Common Council of 14 July 1960 (as substituted by section 4 of the Act of Common Council of 6 November 2008).

<sup>35</sup> Section 7(2) of the Act of Common Council of 14 July 1960.

<sup>36</sup> Henry v Armitage (1883) 12 QBD 257.

<sup>37</sup> This is the general position as stated in section 50 of the Representation of the People Act 1983 (although this section does not apply to Ward elections in the City).

<sup>38</sup> See Part A, Section 3 "Candidates" paragraph 1(a) at page 123. Section 1(3) of the Act of Common Council of 23 May 1968 removed this requirement from section 7(2) of the Act of Common Council of 14 July 1960.



areas<sup>39</sup>. The description must be the word "Independent", the name of the registered party where that party has authorised use of that name, or no description should be given<sup>40</sup>.

(d) **Date of admission to the freedom of the City.** This is the date on which the person took the oath at the Chamberlain's Court.

11. A nomination paper must be subscribed by a proposer and a seconder and also by three other [personselectors](#)<sup>41</sup>. The subscribers must be registered in the Ward list for the Ward in which the candidate seeks election. Each subscriber should also add [his or hertheir](#) electoral number. Subscribers must be 18 years of age or over on the day fixed for the holding of the Ward election. Subscribers must not subscribe more nomination papers than there are vacancies to be filled or subscribe more than one nomination paper in respect of the same candidate<sup>42</sup>. "Subscribed" means signed<sup>43</sup>.
12. A candidate may submit more than one nomination paper and thus be validly nominated for more than one Ward election. Such a candidate must withdraw candidature from all but one of those Ward elections before the close of withdrawal of nominations (see paragraph 21 below). If the candidate does not so do, they will be deemed to have withdrawn their candidature from all of those Ward elections<sup>44</sup>.
13. Completed nomination papers must be delivered at the address of the Ward Clerk (in practice the address of the Ward Clerk is the Electoral Services Office of the Town Clerk's Department) not later than noon on the 19<sup>th</sup> day

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<sup>39</sup> The Local Elections (Principal Areas) (England and Wales) Rules 2006 Appendix of Forms. This is not amongst the 2006 Rules applicable to Ward elections in the City.

<sup>40</sup> Section 22 of the Political Parties, Elections and Referendums Act 2000.

<sup>41</sup> [The subscribers must be eligible to vote at the election in question. A relevant citizen of the European Union, who is not able to vote at an Aldermanic election, would not be eligible to subscribe an Aldermanic nomination paper.](#)

<sup>42</sup> Section 7(3) of the Act of Common Council of 14 July 1960 (as substituted by section 5 of the Act of Common Council of 6 November 2008).

<sup>43</sup> This is consistent with the rule which has national effect, namely Rule 6(2) of the Local Elections (Principal Areas) (England and Wales) Rules 2006, although this Rule is not amongst the 2006 Rules applicable to Ward elections in the City.

<sup>44</sup> Section 11(3) of the Act of Common Council of 14 July 1960.

before the day fixed for the holding of the Ward election<sup>45</sup>.

14. A person is not validly nominated until they consent to nomination<sup>46</sup>; such consent to be given in writing and in the prescribed form (as with nomination papers the prescribed form can be amended, where necessary, by the Town Clerk in consultation with the Comptroller and City Solicitor<sup>47</sup>). The prescribed form will vary depending on whether the Ward election is for that of a Common Councilman or an Alderman<sup>48</sup>, as the consent to nomination must contain a statement and particulars of the person's qualification to hold the office to which they seek election. The consent to nomination paper should be completed, witnessed and delivered to the Ward Clerk (see paragraph 13 above) on or within one month before the last date for the delivery of nomination papers.
15. After the latest time for delivery of nomination papers and before the ~~date of the poll~~ day fixed for the holding of the Ward election, nomination papers and ~~candidate's consents~~ to nomination can be inspected and copies taken ~~during normal office hours~~ at all reasonable times<sup>49</sup>.
16. Where a nomination paper and a candidate's consent to nomination are delivered as outlined above, the candidate is deemed to be nominated unless the Ward Clerk decides that the nomination paper is invalid; or proof is given to the satisfaction of the Ward Clerk of the candidate's death; or the candidate withdraws<sup>50</sup>.

### Decisions as to validity of nominations

<sup>45</sup> Section 7(1) of the Act of Common Council of 14 July 1960 (as substituted by section 4 of the Act of Common Council of 6 November 2008).

<sup>46</sup> Section 8 of the Act of Common Council of 14 July 1960.

<sup>47</sup> See footnote ~~28-31~~ above.

<sup>48</sup> See Part B of this volume for examples of a candidate's consent to nomination.

<sup>49</sup> Section 10A of the Act of Common Council of 14 July 1960 (inserted by section 1 of the Act of Common Council of 17 February 1972). This is consistent with the rule which has national effect, namely Rule 11 of the Local Elections (Principal Areas) (England and Wales) Rules 2006, although this Rule is not amongst the 2006 Rules applicable to Ward elections in the City.

<sup>50</sup> Section 9(1) of the Act of Common Council of 14 July 1960.

17. The Ward Clerk is required to examine each nomination paper as soon as practicable after it has been delivered and decide whether the candidate has been validly nominated<sup>51</sup>. It may therefore be possible for a fresh nomination to be delivered by a person if an earlier nomination has been rejected. The only grounds on which the Ward Clerk is entitled to decide that a nomination paper is invalid are that the particulars of the candidate or the person subscribing the paper are not as required by law and that the paper is not subscribed as required<sup>52</sup>. Examples may be where the description of the candidate exceeds six words in length or where one of the persons subscribing the paper is not registered in the Ward list for the Ward in which the candidate is seeking election. The Ward Clerk must therefore consider the validity of the nomination paper rather than the validity of the particulars given in the nomination paper<sup>53</sup>.
18. Where the Ward Clerk decides that a nomination paper is invalid he must endorse and sign on the paper the fact and the reasons for his decision<sup>54</sup>. The Ward Clerk's decision is final and cannot be challenged in any proceedings<sup>55</sup>. As stated in paragraph 17 above, the Ward Clerk's decision is about whether the nomination paper is in good order and not about whether the particulars given in the nomination paper are correct. A challenge to the validity of a person's nomination (as distinct from the validity of a nomination paper) is a matter for an election petition<sup>56</sup>.
19. Not later than noon on the 13<sup>th</sup> day before the day fixed for the holding of the Ward election, the Ward Clerk will confirm acceptance or otherwise of nomination papers in writing to each candidate at the address given in the nomination papers<sup>57</sup>. Notwithstanding this time limit, it would be best practice for written confirmation to be given to candidates no later than the publication date of the statement of persons nominated (see following

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<sup>51</sup> Section 9(3) of the Act of Common Council of 14 July 1960 (as substituted by section 4 of the Act of Common Council of 9 April 1970).

<sup>52</sup> Section 9(2) of the Act of Common Council of 14 July 1960.

<sup>53</sup> See *R v Election Court, ex parte Sheppard* [1975] 2 All ER 723.

<sup>54</sup> Section 9(4) of the Act of Common Council of 14 July 1960.

<sup>55</sup> Section 9(5) of the Act of Common Council of 14 July 1960.

<sup>56</sup> Section 9(6) of the Act of Common Council of 14 July 1960.

<sup>57</sup> Section 9(7) of the Act of Common Council of 14 July 1960.



### **Publication of statement of persons nominated**

20. A statement of persons nominated as candidates for each Ward must be prepared and published (for example by fixing it in a public place in the relevant Ward) by the Ward Clerk no later than noon on the 17<sup>th</sup> day before the day fixed for the holding of the Ward election<sup>58</sup>. The statement must be in the prescribed form<sup>59</sup> (although this can be amended where necessary, by the Town Clerk in consultation with the Comptroller and City Solicitor<sup>60</sup>). It must show the names and descriptions of the persons nominated (arranged in alphabetical order by surname) together with each person's place of residence and proposer and seconder<sup>61</sup>.

### **Notice of withdrawal of candidates nominated**

21. A candidate at a Ward election may withdraw ~~his or her~~their candidature by giving notice<sup>62</sup> of withdrawal signed by the candidate and attested by a witness and delivered to the Ward Clerk no later than noon on the 16<sup>th</sup> day before the day fixed for the holding of the Ward election<sup>63</sup>.
22. If the candidate is outside the United Kingdom, a notice of withdrawal together with a written declaration of the candidate's absence both signed by the candidate's proposer will be sufficient<sup>64</sup>.

### **Notice of poll**

23. Following any withdrawals of candidates, if the number of persons remaining validly nominated for a Ward election exceeds the number of vacancies to be

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<sup>58</sup> Section 10(1) of the Act of Common Council of 14 July 1960 (as substituted by section 6 of the Act of Common Council of 6 November 2008).

<sup>59</sup> See Part B of this volume for examples of the statement of persons nominated.

<sup>60</sup> See footnote ~~28~~31 above.

<sup>61</sup> Section 10(2) of the Act of Common Council of 14 July 1960 (as amended by section 1(5) of the Act of Common Council of 23 May 1968).

<sup>62</sup> See Part B of this volume for an example of a notice of withdrawal of candidature.

<sup>63</sup> Section 11(1) of the Act of Common Council of 14 July 1960 (as substituted by section 7 of the Act of Common Council of 6 November 2008).

<sup>64</sup> Section 11(2) of the Act of Common Council of 14 July 1960.

filled a poll<sup>65</sup> must be held, to be taken by ballot, on the day next following the day fixed for the holding of the Ward election (or if this day is a Saturday, Sunday, bank holiday<sup>66</sup> or a day appointed for public thanksgiving or mourning on the first day thereafter that is not one of those days)<sup>67</sup>.

24. Where a poll is to be held, the Ward Clerk must prepare and publish not later than the 6<sup>th</sup> day before the holding of the Ward election a notice of poll in the prescribed form<sup>68</sup> (although this can be amended where necessary, by the Town Clerk in consultation with the Comptroller and City Solicitor<sup>69</sup>). The notice must be fixed in a conspicuous place or places within the Ward and sent to each person remaining validly nominated or to their election agent<sup>70</sup>. An official poll card is also sent to each voter at their qualifying address in the Ward list advising of the date and hours of the poll<sup>71</sup>.

#### **Death of candidate nominated**

25. The effect of the death of a person nominated as a candidate in a Ward election depends on the date and time of the candidate's death and also on whether the person is included in the statement of persons nominated as standing nominated: -

- (a) If the death occurs before the latest time for the delivery of nomination papers, namely before noon on the 19<sup>th</sup> day before the day fixed for the holding of the Ward election, the candidate is deemed to be nominated until proof is given to the satisfaction of the Ward Clerk of the

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<sup>65</sup> See Part A, Section 6 "Wardmote and Polling Arrangements" (pages 367 to 643).

<sup>66</sup> See footnote 49-22 for list of bank holidays.

<sup>67</sup> Section 11A(1) and (2) of the Act of Common Council of 14 July 1960 (inserted by section 1(2) of the Act of Common Council of 7 July 1977). See also section 17 of the City of London (Various Powers) Act 1954.

<sup>68</sup> Section 11A(3) of the Act of Common Council of 14 July 1960 (substituted by section 8 of the Act of Common Council of 6 November 2008). See Part B of this volume for an example of a notice of poll.

<sup>69</sup> See footnote 28-31 above.

<sup>70</sup> Section 11A(4) and (5) of the Act of Common Council of 14 July 1960 (inserted by section 1(2) of the Act of Common Council of 7 July 1977).

<sup>71</sup> This is consistent with the rule for local government elections generally: Rule 25 of the Local Elections (Principal Areas) (England and Wales) Rules 2006.

candidate's death<sup>72</sup>.

(b) If the death occurs either: -

- (i) after the latest time for the delivery of nomination papers, namely after noon on the 19<sup>th</sup> day before the day fixed for the holding of the Ward election; or
- (ii) before the latest time for the delivery of nomination papers, namely before noon on the 19<sup>th</sup> day before the day fixed for the holding of the Ward election, but the person is shown in the statement of persons nominated

and proof of the death is given to the satisfaction of the Lord Mayor, the Lord Mayor must countermand the Ward election and issue a further Precept unlessif the remaining number of candidates validly nominated exceeds the number of vacancies ~~for the election to thus proceed~~<sup>73</sup>.

26. Where a Ward election is countermanded and a fresh Precept issued, candidates validly nominated for the countermanded election are not required to submit fresh nomination papers<sup>74</sup>. Serving Common Councilmen in the Ward where the election is countermanded continue to hold office until the date of the new Ward election<sup>75</sup>.

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<sup>72</sup> Section 9(1)(b) of the Act of Common Council of 14 July 1960.

<sup>73</sup> Section 12(1) of the Act of Common Council of 14 July 1960.

<sup>74</sup> Section 12(2) of the Act of Common Council of 14 July 1960.

<sup>75</sup> Section 12(3) of the Act of Common Council of 14 July 1960.

## SECTION 5

### ELECTION AGENTS AND ELECTION EXPENSES

#### **Appointment of election agents**

1. The term "election agent" is not defined as such in any statute but there are certain duties which are imposed by law.
2. A candidate at a Ward election is required to have an election agent. Care should be taken in the appointment as, under the doctrine of agency, a candidate will be liable for the unauthorised acts of ~~his or her~~their agent as if they are within the scope of the agent's authority. There are however, no defined criteria by which a person is judged to be qualified to be an election agent. Rather, the law prohibits certain persons from holding that position. For example, if a candidate engages as an agent a person who ~~he knows or has~~they know or have reasonable grounds for supposing is subject to an incapacity to vote at the election as a result of having been convicted or reported for a corrupt or illegal practice, then the candidate is incapable of being elected<sup>1</sup>. Irrespective of whether the person is disqualified in the Ward in which the election is taking place, it is clearly undesirable for a candidate to appoint a person who has been so convicted or reported.
3. A candidate must appoint ~~his or her~~their election agent not later than the latest time for the delivery of notices of withdrawal of candidature (for Ward elections this is noon on the 16<sup>th</sup> day before the day fixed for the holding of the Ward election<sup>2</sup>). The name and address of the candidate's election agent must be notified in writing to the Town Clerk by this deadline<sup>3</sup> and the agent must provide written acceptance of the appointment<sup>4</sup> (standard forms of

<sup>1</sup> Section 165(1) of the Representation of the People Act 1983 (~~section 165 is applied to Ward elections by section 191 of the Representation of the People Act 1983~~).

<sup>2</sup> See Part A, Section 4 "Notice of Election to Notice of Poll", paragraph 21 at page 256.

<sup>3</sup> Section 67(1) of the Representation of the People Act 1983 (~~section 67 is applied to Ward elections by section 191 of the Representation of the People Act 1983~~).

<sup>4</sup> Section 67(5) of the Representation of the People Act 1983.



appointment and acceptance are available for candidates and agents<sup>5</sup>). An election agent may act for two or more candidates. A candidate may name ~~himself or herself~~ themselves as election agent<sup>6</sup> and in the event that no appointment is made the candidate is deemed to have ~~named himself or herself as election agent~~ done so<sup>7</sup>. A candidate is also deemed to be ~~his or her~~ their own election agent in the following circumstances: -

- (a) if the appointed election agent dies and the candidate does not make a new appointment on the day of the death or on the following day<sup>8</sup>; or
- (b) the appointment of the election agent is revoked<sup>9</sup> and no new appointment is made<sup>10</sup>.

A candidate is, however, able to revoke ~~his or her~~ their own deemed appointment as if it were an actual appointment<sup>11</sup>.

- 4. An election agent must have an office to which documents can be sent and this must be within the City, or within the Parliamentary constituency in which the City is comprised, or in a London borough adjoining the City<sup>12</sup> ("the permitted area for the office"). Where a candidate acts as ~~his/her~~ their own election agent, the office is deemed to be at the address stated in the statement of persons nominated or, if that address is outside the permitted area for the office, the office is deemed to be at the qualifying address of the person named in the statement as the candidate's proposer<sup>13</sup>.

- 5. The Town Clerk is required to publish the names and addresses of election

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<sup>5</sup> See Part B of this volume for an example of the form for the appointment of an election agent and the agent's acceptance of office.

<sup>6</sup> Section 67(2) of the Representation of the People Act 1983.

<sup>7</sup> Section 70(1) of the Representation of the People Act 1983 (~~section 70 is applied to Ward elections by section 191 of the Representation of the People Act 1983~~).

<sup>8</sup> Section 70(2) of the Representation of the People Act 1983.

<sup>9</sup> Section 67(3) of the Representation of the People Act 1983.

<sup>10</sup> Sections 67(4) and 70(3) of the Representation of the People Act 1983.

<sup>11</sup> Section 70(3A) of the Representation of the People Act 1983.

<sup>12</sup> Section 69 of the Representation of the People Act 1983 (~~section 69 is applied to Ward elections by section 191 of the Representation of the People Act 1983~~).

<sup>13</sup> Section 70(4) of the Representation of the People Act 1983 (~~section 70 is applied to Ward elections by section 191 of the Representation of the People Act 1983~~).

agents<sup>14</sup>, including the offices to which documents can be sent<sup>15</sup>, forthwith after receipt of that information.

### **Duties of election agents**

6. The duties of an election agent include the following: -
  - (a) to be conversant with the law governing Ward elections in the City and to use due care, diligence and skill in acting for the candidate;
  - (b) to make or authorise payments of "elections expenses"<sup>16</sup> (see paragraphs 9 to ~~17~~8 below); and
  - (c) to deliver to the Town Clerk within 35 days<sup>17</sup> after the day on which the result of the election is declared a return containing a statement of all election expenses incurred by or on behalf of the candidate and a statement of all payments made by the election agent together with all bills and receipts relating to those payments<sup>18</sup>.
7. Candidates may also appoint agents to attend at polling stations and at the counting of the votes<sup>19</sup>.

### **Election publicity**

8. Election publicity, for example in the form of an election address, provides a means by which a candidate can convey to the voters at a Ward election ~~his or her~~their policies and views. The name and address of the printer, the promoter and any other person on behalf of whom the material is being published

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<sup>14</sup> Section 67(6) of the Representation of the People Act 1983. See Part B of this volume for an example of the notice published by the Town Clerk.

<sup>15</sup> Sections 69(1) and 70(6) of the Representation of the People Act 1983.

<sup>16</sup> Section 73(1) of the Representation of the People Act 1983 (~~section 73 is applied to Ward elections by section 191 of the Representation of the People Act 1983~~).

<sup>17</sup> See paragraph ~~18~~9 below for a note on the calculation of time.

<sup>18</sup> Section 81(1) of the Representation of the People Act 1983 (~~section 81 is applied to Ward elections by section 191 of the Representation of the People Act 1983~~).

<sup>19</sup> Rules 21, 31, 33 and 57 of the First Schedule to the Ballot Act 1872 ("the Rules").

(known as an imprint) must appear on ~~the face of~~ any printed publicity document<sup>20</sup> produced by or on behalf of a candidate. If the material is single-sided, the imprint must appear on the face of the document. If the material is multi-sided, the imprint must appear on the first or last page. Where the material is an advert in a newspaper or periodical, the advert must contain the name and address of the promoter and any other person on behalf of whom the advert is being published, with the printer's details appearing on the first or last page of the publication. At the time of writing, there is no law requiring digital election campaign material to have an imprint, although the Elections Bill currently before Parliament would if enacted extend the imprint regime to such material.

### **Election expenses**

9. "Election expenses" means expenses incurred at any time in respect of certain specified matters that are used for the purposes of a candidate's election after the date when that person becomes a candidate at the election<sup>21</sup>. The earliest that a person can officially become a candidate is the last day for publication of the Notice of Ward election (the 25<sup>th</sup> day before the election) and the latest is the last day for delivery of nomination papers (the 19<sup>th</sup> day before the election), depending on when their nomination paper is submitted or they otherwise declare their intention to stand<sup>22</sup>. The 'regulated period' (the period during which the spending and donation rules apply) then continues until the day of the election, or the day of the poll if the election is contested.
10. The specified matters include: advertising of any nature; unsolicited material addressed to electors; and transport costs<sup>23</sup>. Some matters are excluded from the definition, for example accommodation which is the candidate's sole or main residence and transport and computing equipment acquired by the

<sup>20</sup> Section 110 of the Representation of the People Act 1983 (~~section 110 is applied to Ward elections by section 191 of the Representation of the People Act 1983~~).

<sup>21</sup> Section 90ZA(1) of the Representation of the People Act 1983.

<sup>22</sup> Section 118A of the Representation of the People Act 1983.

<sup>23</sup> See Part 1 of Schedule 4A to the Representation of the People Act 1983 for the full list of matters.

candidate principally for the candidate's own personal use<sup>24</sup>. Where property, goods, services or facilities are provided for the use or benefit of the candidate, either free of charge or at a discount of more than 10 per cent, the appropriate amount (if it exceeds £50) is treated as incurred by the candidate and must be declared<sup>25</sup>. Election expenses can be incurred by the candidate, the candidate's election agent or by any person authorised by either of them to incur expenses<sup>26</sup>.

~~101.~~ The following are illegal expenses which are expressly prohibited: -

- (a) expenses incurred in excess of the maximum allowed (see paragraph ~~142~~ below);
- (b) payments to induce a candidate to withdraw ~~his or her~~their candidature<sup>27</sup>;
- (c) payments to electors or their proxies (other than to those who are advertising agents) to use their land to exhibit addresses, bills or notices<sup>28</sup>;
- (d) payments to canvassers<sup>29</sup>; and
- (e) payments of claims for election expenses after the time for sending in or paying such claims has expired<sup>30</sup> (see paragraph ~~123~~ below).

~~142.~~ The election expenses incurred by a single candidate in a Ward election must not, in aggregate, exceed the maximum amount of £266 together with 5.2p for

<sup>24</sup> Section 90ZA(2) and Part 2 of Schedule 4A to the Representation of the People Act 1983.

<sup>25</sup> Section 90C of the Representation of the People Act 1983.

<sup>26</sup> Section 90ZA(4) and section 75 (1) of the Representation of the People Act 1983.

<sup>27</sup> Section 107 of the Representation of the People Act 1983 ~~(section 107 is applied to Ward elections by section 191 of the Representation of the People Act 1983).~~

<sup>28</sup> Section 109(1) of the Representation of the People Act 1983 ~~(section 109 is applied to Ward elections by section 191 of the Representation of the People Act 1983).~~

<sup>29</sup> Section 111 of the Representation of the People Act 1983 ~~(section 111 is applied to Ward elections by section 191 of the Representation of the People Act 1983).~~

<sup>30</sup> Section 78 of the Representation of the People Act 1983 ~~(section 78 is applied to Ward elections by section 191 of the Representation of the People Act 1983).~~

every elector in the Ward in which the candidate seeks election<sup>31</sup>. Where there are two joint candidates in a Ward election (namely where they appoint the same election agent, share accommodation or other services or publish a joint election address) the maximum amount for each of the candidates is reduced by a quarter. If there are more than two joint candidates the maximum amount for each is reduced by a third<sup>32</sup>. A candidate or election agent who incurs or authorises the incurring of election expenses in excess of the maximum allowed when ~~he or she~~they ought reasonably to have known that expenses in excess of the maximum were being incurred, is guilty of an illegal practice<sup>33</sup>. There is a relief to this for joint candidates where, for example, joint candidature arose after the candidate had begun the conduct of the election as a separate candidate. The excess must not be more than is reasonable and must not in any event exceed the maximum allowed for a separate candidate<sup>34</sup>.

### Claims and statements of election expenses

~~132.~~ Every claim or account in respect of election expenses must be sent to an election agent (or the candidate where the candidate is the election agent) not later than 21 days after the day on which the result of the election is declared, otherwise the claim is barred and must not be paid<sup>35</sup>. Within the same time limit, a candidate must send to their election agent a written statement of their personal expenses (if any)<sup>36</sup> or expenses incurred before the appointment of the election agent. All claims or accounts must be paid by the election agent not later than 28 days after the day on which the result of the election is declared<sup>37</sup>. An election agent who pays a claim that was received later than the 21 day time limit, or makes a payment after the 28 day time limit is guilty

<sup>31</sup> Section 76(1) and 197(1) of the Representation of the People Act 1983 (as amended by Article 3 of the Representation of the People (Variation of Limits of Candidates' Election Expenses) (City of London) Order 2005) ~~(section 76 is applied to Ward elections by section 191 of the Representation of the People Act 1983).~~

<sup>32</sup> Section 77(1) of the Representation of the People Act 1983 ~~(section 77 is applied to Ward elections by section 191 of the Representation of the People Act 1983).~~

<sup>33</sup> Section 76(1B) of the Representation of the People Act 1983.

<sup>34</sup> Section 77(3) of the Representation of the People Act 1983.

<sup>35</sup> Section 78(1) of the Representation of the People Act 1983.

<sup>36</sup> Section 74(2) of the Representation of the People Act 1983 ~~(section 74 is applied to Ward elections by section 191 of the Representation of the People Act 1983).~~

<sup>37</sup> Section 78(2) of the Representation of the People Act 1983.

of an illegal practice<sup>38</sup>.

134. Every payment made by an election agent, except where it is for less than £20, must be vouched by a bill, stating the particulars, or by a receipt<sup>39</sup>.

### Returns and declarations

145. Within 35 days after the day on which the result of the election is declared, an election agent must deliver to the Town Clerk a return in the appropriate form and stating all election expenses incurred by or on behalf of the candidate and all payments made by the election agent together with all bills or receipts that relate to those payments. The contents of the return are specified by statute<sup>40</sup>. The requirement to "deliver" means that the return as to election expenses must reach the Town Clerk by the deadline.

156. The return as to election expenses must be accompanied by a declaration made by the election agent verifying the return<sup>41</sup>. At the same time, or within 7 days afterwards, the candidate must deliver to the Town Clerk a declaration verifying the return as to election expenses<sup>42</sup>. Where the candidate is ~~his~~ their own election agent, ~~he only has~~ they only have to make the latter declaration (suitably modified)<sup>43</sup>.

167. Failure to deliver ~~the a true~~ return as to election expenses and either of the declarations would amount to an illegal practice<sup>44</sup>. Relief may be granted by the High Court, an election court or a county court if the failure is due to: the applicant's illness; the absence, death, illness or misconduct of some other specified person; inadvertence or any other reasonable cause of a like nature;

<sup>38</sup> Section 78(3) of the Representation of the People Act 1983.

<sup>39</sup> Section 73(2) of the Representation of the People Act 1983.

<sup>40</sup> Section 81 of the Representation of the People Act 1983 (~~section 81 is applied to Ward elections by section 191 of the Representation of the People Act 1983~~).

<sup>41</sup> Section 82(1) of the Representation of the People Act 1983 (~~section 82 is applied to Ward elections by section 191 of the Representation of the People Act 1983~~).

<sup>42</sup> Section 82(2) of the Representation of the People Act 1983.

<sup>43</sup> Section 82(5) of the Representation of the People Act 1983.

<sup>44</sup> Section 84 of the Representation of the People Act 1983 (~~section 84 is applied to Ward elections by section 191 of the Representation of the People Act 1983~~).

and not by reason of any want of good faith on the applicant's part<sup>45</sup>. In the event that the offence is committed by the successful candidate or their election agent, the candidate must not sit as an Alderman or Common Councilman until either the return and declarations have been delivered or an authorised excuse has been obtained ~~from the High Court, an election court or a county court that the failure is due to illness, inadvertence or any other reasonable like cause and not by reason of any want of good faith on the candidate's part~~. If the candidate does sit during this time, ~~he or she forfeits~~they forfeit £50 for each day actionable by summary proceedings in the magistrates' court<sup>46</sup>. The prohibition on sitting would not, for example, apply to an unsuccessful candidate in a Ward election for the office of Alderman where that candidate was already a serving Common Councilman. Such a person would still be guilty of an illegal practice if the return and declarations ~~are~~were not delivered in the prescribed time limits.

178. The Town Clerk must make the returns and declarations and any accompanying documents available for public inspection (excluding the address of any individual donor). Copies must also be provided to any person who requests them, on payment of the prescribed fee. After a period of two years the documents are either returned or destroyed<sup>47</sup>.

### Calculation of time

189. For the purposes of computing any period of not more than 7 days the following days are to be disregarded: Saturday; Sunday; Christmas Eve; Christmas Day; Good Friday; a bank holiday<sup>48</sup>; or a day appointed for public thanksgiving or mourning. For any longer period these days are to be counted except where the day on which anything required to be done falls on one of those days, the requirement is deemed to relate to the first day following

<sup>45</sup> Section 86 of the Representation of the People Act 1983. See also *Finch v Richardson* [2009] All ER (D) 01 (Jan).

<sup>46</sup> Section 85 ~~and 86~~ of the Representation of the People Act 1983 ~~(applied to Ward elections by section 191 of the Representation of the People Act 1983)~~.

<sup>47</sup> Section 89 of the Representation of the People Act 1983 ~~(applied to Ward elections by section 191 of the Representation of the People Act 1983)~~.

<sup>48</sup> See footnote ~~19-22~~ in Section 4 "Notice of Election to Notice of Poll" for list of bank holidays.

which is not one of those days<sup>49</sup>.

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| <sup>49</sup> Section 119 of the Representation of the People Act 1983 ~~(section 119 is applied to Ward elections by section 191 of the Representation of the People Act 1983).~~



## SECTION 6

### **WARDMOTE AND POLLING ARRANGEMENTS**

#### **Introduction**

1. Ward elections in the City differ from other local government elections in that not all of the rules that apply nationally<sup>1</sup> apply to Ward elections which are also regulated by local legislation<sup>2</sup> and Acts of Common Council.

#### **The Wardmote**

2. Wardmotes, which originate from the earliest date of the division of the City into Wards, are meetings of Wards. Originally they had a wide jurisdiction for the preservation of the peace in each Ward and had the power to inflict appropriate punishments<sup>3</sup>. Wardmotes can still bring matters to the notice of the Common Council or Court of Aldermen by formal resolution, but today the principal business conducted at the Wardmote is the election of Aldermen, Common Councilmen and Ward Beadles.
3. The Precept for the holding of a Ward election<sup>4</sup> gives notice to either the Common Councilmen for the Ward in the case of an election for the office of Alderman, or to the Alderman of the Ward in the case of an election for the office of a Common Councilman, or Councilmen in the case of four yearly elections, of the requirement on them to hold a Wardmote for the election of a suitably qualified person (or persons as the case might be). Irrespective of whether or not the number of persons nominated exceeds the number of

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<sup>1</sup> For example, as set out in the Representation of the People Act 1983, the Local Elections (Principal Areas) (England and Wales) Rules 2006 and the Representation of the People (England and Wales) Regulations 2001.

<sup>2</sup> For example the City of London Ballot Act 1887 which applies the Ballot Act 1872. The latter was repealed by section 175(5) of the Representation of the People Act 1949 but not in so far as it was applied to Ward elections by virtue of the 1887 Act. The later repeal of section 175(5) by the Representation of the People Act 1983 did not effect a wider repeal than that of that section itself and the fact that the Act of 1887 is not repealed indicates an intention to retain it for the City, with its cross reference to the Act of 1872.

<sup>3</sup> "The Corporation of London: Its Origin, Constitution, Powers and Duties" (Geoffrey Cumberlege).

<sup>4</sup> See Part A, Section 4 "Notice of Election to Notice of Poll" paragraph 7 at pages ~~19 to 20~~ 19 to 20.

vacancies, in which circumstance there must be a poll, a Wardmote must be held. This must be within the boundaries of the Ward<sup>5</sup>. There is no express guidance as to who is entitled to attend the Wardmote. As Wardmotes originated as meetings of the Ward it appears that Ward inhabitants generally were entitled to attend rather than the meetings being open to the public at large. This view is supported by the wording of section 2 of the Act of Common Council of 23 May 1968<sup>6</sup> because it appears that, prior to this Act, the only people entitled to attend a Wardmote were those on the Ward list for the Ward in which the Wardmote was being held. The effect of the Act, therefore, was to make an exception to the general lack of entitlement for candidates and their agents. This may be an academic point, as other persons could be admitted with the approval of the Alderman for the Ward, with the concurrence of ~~his~~-~~their~~ Common Councilmen, as the Alderman presides over the Wardmote (see paragraphs 10 to 12 below).

4. The procedure for a Wardmote for the election of an Alderman and for the election of a Common Councilman (or Common Councilmen) is set out below. Before moving on to the procedure, it will be helpful to consider the terms used to describe the various positions involved in the electoral process.

#### **Positions involved in the electoral process**

5. At the election of an Alderman the Lord Mayor, or in ~~his~~-~~their~~ absence ~~his~~-~~their~~ locum tenens, acts as **Presiding Officer** on the day of the Wardmote. At the election of a Common Councilman, or Common Councilmen as the case may be, the Alderman of the Ward, or in ~~his~~-~~their~~ absence the Lord Mayor or ~~his~~-~~their~~ locum tenens, acts as **Presiding Officer**. The **Deputy of a Ward** can also preside at a Wardmote for the election of a Common Councilman, for example

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<sup>5</sup> This was the opinion of the Law Officers of 17 October 1902 based upon the custom of the City. Section 2 of the City of London Municipal Elections Act 1849 contemplated elections being held in each Ward by providing that persons entitled to vote in an election for Alderman or Common Councilman by reason of occupying premises in that Ward "...shall be entitled to vote...in the Ward in which such premises shall be situate".

<sup>6</sup> Section 2 of the Act of Common Council of 23 May 1968: "A candidate for election to the Common Council as a common councilman and his election agent shall be entitled to be admitted to a Wardmote although not registered in the ward list for the Ward in which the candidate is seeking election".

to fill a vacancy caused by the death of the incumbent Common Councilman, and the precept may be issued directly to them<sup>7</sup>. The Deputy is appointed<sup>8</sup> by the Alderman for the Ward from amongst the Common Councilmen of that Ward<sup>9</sup> and the appointment ceases on a vacancy occurring in the office of Alderman. In such a situation the person appointed by the last Alderman as the Deputy continues to perform the duties associated with that appointment until such time as a Deputy is appointed by the person elected to the office of Alderman for the Ward<sup>10</sup>.

6. The Presiding Officer at an election where a poll is held is also the **Returning Officer** for that election<sup>11</sup>, with all of the powers and duties which are conferred and imposed on that position<sup>12</sup>.
7. The Returning Officer is required to appoint a **presiding officer** to preside at each polling station<sup>13</sup>. In practice, the Returning Officer also appoints a presiding officer to be his-their deputy returning officer. The presiding officer is responsible for running the operation of the poll at the polling station to which he or she hasthey have been allocated. The Returning Officer also appoints **poll clerks** to assist the presiding officer at the poll.
8. The duties of the **Ward Clerk** in relation to the administration of elections are set out in Acts of Common Council<sup>14</sup>. The origins of the office of Ward Clerk are unclear. In 1837<sup>15</sup> it was suggested that "*the Ward Clerk is an officer of*

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<sup>7</sup> Section 6 of the Act of Common Council of 4 October 1973. The successful candidate cannot subscribe the Declaration of Office before the Deputy unless the Deputy is also a Justice of the Peace.

<sup>8</sup> Appointments of a Deputy and Honorary Ward Clerk (see paragraph 8) were historically made at the annual Wardmote for the ordinary elections of Common Councilmen. Since 2005, the ordinary elections have been held every four years. The Policy and Resources Committee at its meeting on 17 November 2005 concurred with a resolution of the General Purposes Committee of Alderman of 1 November 2005 that an annual Wardmote still be held in March and that the appointment of Deputies and Honorary Ward Clerks should be a standard item on the agenda of those Wardmotes.

<sup>9</sup> Act of Common Council of 6 December 1712.

<sup>10</sup> Resolution of the Court of Aldermen of 21 April 1970.

<sup>11</sup> Section 2 of the City of London Ballot Act 1887 provides that the Presiding Officer is also the Returning Officer for the purposes of the poll.

<sup>12</sup> Section 2 of the City of London Ballot Act 1887 provides that the powers and duties conferred on a Returning Officer are those contained in the Ballot Act 1872.

<sup>13</sup> Rule 21 of the Ballot Act 1872.

<sup>14</sup> Act of Common Council of 14 July 1960 (as amended). The duties are described in Section 4 "Notice of Election to Notice of Poll" (pages 167 to 278).

<sup>15</sup> Report of the Municipal Corporations' Commissioners on London and Southwark.

*modern creation*" but the office almost certainly owes its origins to the office of the "Clerk of the Alderman"<sup>16</sup>. In the more recent past, Ward Clerks have been~~were~~ appointed annually by the Alderman for each Ward<sup>17</sup>. As with the origins of the office, the duties are unclear but they appear to include instructing the Ward Beadle to command attention and reading aloud the Precept for the holding of the Ward election. In order to produce consistency of approach in the administration of Ward elections it was resolved that the then City Secretary (now the Town Clerk) would be appointed as the Ward Clerk for all elections<sup>18</sup>. Each Alderman now appoints an **Honorary Ward Clerk** to be responsible for the other duties historically exercised by the Ward Clerk, namely: instructing the Ward Beadle to command attention at the commencement of the Wardmote; reading aloud the Precept; assisting the Alderman to run the Wardmote; and otherwise assisting in the Ward as directed by the Alderman. As with the Deputy for the Ward appointed by the Alderman, if there is a vacancy in the office of Alderman the person last appointed by the Alderman as the Honorary Ward Clerk continues to perform the duties associated with that appointment until such time as an Honorary Ward Clerk is appointed by the person elected to the office of Alderman for the Ward.

9. The **Ward Beadle** opens and closes the Wardmote. In the event of a poll, the Ward Beadle adjourns the Wardmote and resumes and closes the Adjourned Wardmote. The Ward Beadle is an officer of the Ward responsible to the Alderman and the voters of the Ward. Some Wards have more than one Beadle. Whilst the duties of the office are not specified<sup>19</sup> Ward Beadles are elected to the office and this is regulated by Act of Common Council<sup>20</sup>. Elections to the office take place in each Ward at the Wardmote for the

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<sup>16</sup> "Clerk of the Alderman" is a position mentioned in the Liber Albus compiled by the Town Clerk in c.1419.

<sup>17</sup> Resolution of the Court of Aldermen of 13 April 1915.

<sup>18</sup> Resolutions of the General Purposes Committee of Aldermen of 26 March 1996, the Policy and Resources Committee of 4 April 1996 and the Court of Common Council of 23 May 1996.

<sup>19</sup> Lists of the Ward Beadles' usual duties have been prepared from time to time (for example report of the Police Committee to the Common Council of 28 October 1841) but the Corporation has never regulated the duties of the office.

<sup>20</sup> Act of Common Council of 10 October 1663 as amended by Acts of Common Council of 14 July 1960; 10 October 1963; 8 June 1978; 14 June 1984; 10 October 2002; 4 December 2003; and 17 January 2013.

ordinary election of the whole number of Common Councilmen ~~held in March in every fourth year (from 2013)~~<sup>21</sup>. The Alderman, with the consent of the Deputy and Common Councilmen for the Ward (or a majority of them), nominates one or more "honest, sufficient and discreet" person or persons to the voters<sup>22</sup> at the Wardmote for them to elect the person nominated, or one of them if more than one are in nomination. The term of office for a Ward Beadle is generally four years (dependent on the scheduling of the Common Council elections)<sup>23</sup>. On a casual vacancy occurring in the office of Ward Beadle, the vacancy is filled by appointment by the Alderman of the Ward in which the vacancy has occurred<sup>24</sup>.

### **Procedure for a Wardmote**

10. The procedure for holding a Wardmote is outlined in paragraphs 11 and 12 below and that for an Adjourned Wardmote in paragraphs 34 and 35. Examples of the form of the agenda for Wardmotes are set out at Appendix 4.

#### **(a) Wardmote for the election of Alderman**

11. The Lord Mayor or ~~his~~ their locum tenens acts as Presiding Officer at the Wardmote for an election of an Alderman, where the procedure is as follows: -

- (a) Procession to enter the Wardmote.
- (b) On the instruction of the Honorary Ward Clerk, the Ward Beadle opens the Wardmote by proclamation in the prescribed form (see Appendix 4).
- (c) The Honorary Ward Clerk reads the Precept.
- (d) A suitable vote of thanks or vote of condolence is passed for the

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<sup>21</sup> Section 1 of the Act of Common Council of 17 January 2013.

<sup>22</sup> The persons eligible to vote are those whose name appears on the Ward list as qualified to vote at elections of Alderman in the Ward (section 13 of the Act of Common Council of 14 July 1960).

<sup>23</sup> Section 2 of the Act of Common Council of 17 January 2013.

<sup>24</sup> Section 3 of the Act of Common Council of 17 January 2013.

previous incumbent, depending on the circumstances giving rise to the vacancy.

- (e) The Honorary Ward Clerk reads out the names of the persons remaining validly nominated, in the order appearing on the statement as to persons nominated.
- (f) The Presiding Officer invites the person(s) remaining validly nominated to address the Wardmote in the same order as above.
- (g) The Presiding Officer invites electors to ask questions of the candidate(s).
- (h) If there is only one candidate: -
  - (i) the Presiding Officer declares the candidate to be elected as Alderman for the Ward and to be returned to the first Court of Lord Mayor and Aldermen to be next held after seven clear days following the Ward election<sup>25</sup>;
  - (ii) the candidate returns thanks;
  - (iii) any general business of the Wardmote is considered;
  - (iv) a resolution is passed that a public notice be given of the name of the candidate elected<sup>26</sup>;
  - (v) a vote of thanks is passed to the Presiding Officer who returns thanks; and
  - (vi) the Ward Beadle closes the Wardmote by proclamation in the

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<sup>25</sup> Section 4 of the Act of Common Council of 14 July 1960 (substituted by section 5 of the Act of Common Council of 16 May 2013).

<sup>26</sup> Rules 45 and 46 of the Ballot Act 1872 ~~applied to Ward elections by section 3 of the City of London Ballot Act 1887.~~

prescribed form (see Appendix 4).

- (h) If there is more than one candidate and a poll is to be held: -
- (i) the Presiding Officer announces that a poll will be held in accordance with the Notice of Poll<sup>27</sup>;
  - (ii) the Presiding Officer in ~~his~~-their capacity as Returning Officer appoints the presiding officer for the poll (and as ~~his~~-their deputy) and other officers that are necessary for conducting the poll;
  - (iii) the Honorary Ward Clerk reads out section 4 of the Ballot Act 1872 and all those persons authorised to attend the polling station or count make a declaration of secrecy by stating "*I solemnly promise and declare that I will not at this election for ... do anything forbidden by section 4 of the Ballot Act 1872 which has been read to me*" and by signing the relevant declaration<sup>28</sup> which is countersigned by the Presiding Officer as Returning Officer<sup>29</sup>; and
  - (iv) the Ward Beadle adjourns the Wardmote by proclamation in the prescribed form (see Appendix 4).
- (i) The Mayoral party retires.

**(b) Wardmote for the election of Common Councilman or Councilmen**

12. The Alderman for the Ward or in ~~his~~-their absence the Lord Mayor or ~~his~~-their locum tenens acts as Presiding Officer at the Wardmote for the election of a Common Councilman, or Common Councilmen (or the Deputy for the Ward to fill a vacancy, for example caused by the death of an incumbent officeholder).

<sup>27</sup> See Part A, Section 4 "Notice of Election to Notice of Poll", paragraphs 23 and 24 at pages ~~25 to~~ 26 7.

<sup>28</sup> See Part B of this volume for an example of the form of declaration and the full text of section 4.

<sup>29</sup> The declaration of secrecy may also be made in the presence of a justice of the peace, before the opening of the poll (Rule 54 ~~of the First Schedule~~ of the Ballot Act 1872).

The procedure is as follows: -

- (a) Procession to enter the Wardmote.
- (b) On the instruction of the Honorary Ward Clerk the Ward Beadle opens the Wardmote by proclamation in the prescribed form (see Appendix 4).
- (c) The Honorary Ward Clerk reads the Precept.
- (d) At a by-election, a suitable vote of thanks or vote of condolence is passed for the previous incumbent, depending on the circumstances giving rise to the vacancy.
- (e) The Honorary Ward Clerk reads out the names of the persons remaining validly nominated, in the order appearing on the statement as to persons nominated.
- (f) The Presiding Officer invites the person(s) remaining validly nominated to address the Wardmote in the same order as above.
- (g) The Presiding Officer invites electors to ask questions of the candidate(s).
- (h) If the number of candidates nominated does not exceed the vacancies to be filled: -
  - (i) the Presiding Officer declares the candidate(s) to be elected as Common Councilman, or Common Councilmen, for the Ward;
  - (ii) the candidate(s) return(s) thanks;
  - (iv) the person(s) elected make the declaration of office in the



prescribed form<sup>30</sup>;

(v) at the Wardmote for the ordinary election of Common Councilmen<sup>31</sup> the Alderman:

- appoints the Deputy of the Ward and the Honorary Ward Clerk; and
- nominates a person or persons to be Ward Beadle for the voters at the Wardmote to then elect the person nominated, or one of them if more than one are in nomination, to the office;

(vi) the Return to Precept is completed<sup>32</sup>;

(viii) any general business of the Wardmote is considered;

(ix) a resolution is passed that a public notice be given of the name(s) of the candidate(s) elected;

(x) a vote of thanks is passed to the Presiding Officer who returns thanks; and

(xi) the Ward Beadle closes the Wardmote by proclamation in the prescribed form (see Appendix 4).

(i) If the number of candidates nominated exceeds the vacancies to be filled and a poll is to be held: -

(i) the Presiding Officer announces that a poll will be held in

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<sup>30</sup> See Part B Forms.

<sup>31</sup> The ordinary election of Common Councilmen takes place in March in every fourth year ~~(from 2013)~~ (section 2 of the Act of Common Council of 13 September 2012) and exceptionally in 2022 (section 2 of the Act of Common Council of 8 October 2020).

<sup>32</sup> See Part A, Section 7 "Post Election" paragraph 4 at page 635.

accordance with the Notice of Poll;

(ii) at the Wardmote for the ordinary election of Common Councilmen the Alderman:

- appoints the Honorary Ward Clerk; and
- nominates a person or persons to be Ward Beadle for the voters at the Wardmote to then elect the person nominated, or one of them if more than one are in nomination, to the office;

(iii) the Presiding Officer in ~~his~~-their capacity as Returning Officer appoints the presiding officer for the poll (and as ~~his~~-their deputy) and other officers that are necessary for conducting the poll;

(iv) the Honorary Ward Clerk reads out section 4 of the Ballot Act 1872 and all those persons authorised to attend the polling station or count make a declaration of secrecy by stating "*I solemnly promise and declare that I will not at this election for ... do anything forbidden by section 4 of the Ballot Act 1872 which has been read to me*" and by signing the relevant declaration<sup>33</sup> which is countersigned by the Presiding Officer as Returning Officer<sup>34</sup>; and

(v) the Ward Beadle adjourns the Wardmote by proclamation in the prescribed form (see Appendix 4).

(j) The Alderman's party retires.

## The Poll

<sup>33</sup> See Part B of this volume for an example of the form of declaration and the full text of section 4.

<sup>34</sup> See footnote 29 of this Section for alternative arrangements.

13. A poll must be held where the number of persons validly nominated at a Ward election exceeds the number of vacancies to be filled<sup>35</sup>. The poll must be held on the day following the day fixed for the holding of the election<sup>36</sup> (namely the day following the day of the Wardmote) except that where the day of the poll would be a Saturday, Sunday, Christmas Day, Good Friday, bank holiday<sup>37</sup> or a day appointed for public thanksgiving or mourning, the poll must be held on the first day following which is not one of those days<sup>38</sup>. Where by reason of the illness absence or other incapacity of any Alderman the Lord Mayor is required to take a poll in more than one Ward on the same day each such poll shall be taken on such a day as the Lord Mayor may appoint<sup>39</sup>.
14. The poll is held between the hours of 8.00am and 8.00pm<sup>40</sup> and must be taken by ballot<sup>41</sup>. The ballot paper must list the candidates alphabetically by surname and include a description of each. This must be that set out on each candidate's nomination paper<sup>42</sup>. The ballot paper must be in the prescribed form and be capable of being folded<sup>43</sup>.
15. It is the duty of the Returning Officer for the Ward election to provide polling stations, ballot boxes, ballot papers, stamping instruments and all such other things that may be necessary for conducting the poll<sup>44</sup>. There must be sufficient compartments in each polling station that, in the judgment of the Returning Officer, will allow voters to mark their ballot papers screened from

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<sup>35</sup> Section 11A(1) of the Act of Common Council of 14 July 1960 (inserted by section 1(2) of the Act of Common Council of 7 July 1977).

<sup>36</sup> Section 11A(1) above and section 5 of the City of London Ballot Act 1887.

<sup>37</sup> See footnote ~~19-22~~ of Section 4 "Notice of Election to Notice of Poll" for list of bank holidays.

<sup>38</sup> Section 11A(1) and (2) of the Act of Common Council of 14 July 1960 (inserted by section 1(2) of the Act of Common Council of 7 July 1977).—See also and section 17 of the City of London (Various Powers) Act 1954.

<sup>39</sup> Section 17(3) of the City of London (Various Powers) Act 1954.

<sup>40</sup> Section 5 of the City of London Ballot Act 1887 (as amended by section 11(2) of the City of London (Various Powers) Act 1957) and resolution of the Court of Aldermen of 20 September 2005.

<sup>41</sup> Section 2 of the City of London Ballot Act 1887.

<sup>42</sup> See Section 4 "Notice of Election to Notice of Poll" at paragraph 10(c), pages ~~21 to~~ 223.

<sup>43</sup> Rule 22 and the Second Schedule of the Ballot Act 1872 as modified by the Schedule to the City of London Ballot Act 1887 – see Part B for an example.

<sup>44</sup> Section 8 of the Ballot Act 1872 ~~applied to Ward elections by section 3 of the City of London Ballot Act 1887.~~

observation<sup>45</sup>. Directions for the guidance of voters must be displayed outside every polling station and in every compartment, ~~together with an example of the ballot paper~~<sup>46</sup>, together with an example of the ballot paper.

16. The Returning Officer must appoint a presiding officer to preside at each polling station in the Ward. It is for the presiding officer to make arrangements for the division of work at the polling station utilising the clerks that have also been appointed by the Returning Officer. The duties of the presiding officer are: -

- (a) Before the commencement of the poll, to show such persons as are present at the polling station the empty ballot box prior to locking and sealing it<sup>47</sup>.
- (b) To regulate the number of voters admitted to the polling station at any one time. The purpose of this is to prevent confusion, for example when issuing ballot papers, and to ensure that voters are able to mark their papers without observation. In addition, the presiding officer must exclude all other persons except the election staff, the candidates and their appointed agents, and police officers on duty<sup>48</sup>.
- (c) To issue ballot papers to voters by checking that the person applying for a ballot paper is included in the Ward list<sup>49</sup> and is eligible to vote or is included in the list of proxies for the election (persons who have applied to vote by post and who are marked as absent voters on the Ward list are not to be issued with a ballot paper); marking the Ward list or list of proxies against the voters name signifying that the ballot paper has been issued; recording the voter's Ward list number on the counterfoil of the ballot paper; and stamping the ballot paper with the official mark<sup>50</sup>.

<sup>45</sup> Paragraph 1 of the Schedule to the City of London Ballot Act 1887.

<sup>46</sup> The form is prescribed in the Second Schedule to the Ballot Act 1872 – see Part B for an example.

<sup>47</sup> Rule 23 of the Ballot Act 1872.

<sup>48</sup> Rule 21 and Rule 51 of the Ballot Act 1872.

<sup>49</sup> Section 7 of the City of London Ballot Act 1887 prescribes the questions that may be put to voters.

<sup>50</sup> Rule 24 of the Ballot Act 1872.

- (d) To issue a tendered ballot paper to a person representing themselves as a voter when the Ward list already shows that voter as having voted at the election<sup>51</sup>.
- (e) To cancel spoilt ballot papers and to reissue ballot papers in accordance with the procedure described in sub-paragraph (c) above<sup>52</sup>.
- (f) To assist blind voters or others who because of a physical incapacity are unable to vote without assistance<sup>53</sup>.
- (g) At the close of poll to seal the ballot box, ~~prepare the ballot paper account and~~ prepare and seal envelopes containing all of the election materials that have been used<sup>54</sup> and prepare the ballot paper account<sup>55</sup>.  
A list of the envelopes required is set out at Appendix 5.

17. As regards the polling station at which a person can vote, this must be the polling station allotted to the person<sup>56</sup>, the address of which is published on the Notice of Poll. If the person is entitled to vote as a proxy ~~he or she~~they must do so at the polling station allotted to the voter<sup>57</sup>.

### **Proxy Voting**

18. A voter can appoint another person, a "proxy", to vote on their behalf at the polling station. Where a person applies to vote by proxy for either an indefinite period or for a period of time<sup>58</sup> specified in the application or for a particular

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<sup>51</sup> Rule 27 of the Ballot Act 1872.

<sup>52</sup> [Rule 28 of the Ballot Act 1872.](#)

<sup>53</sup> Rule 26 of the Ballot Act 1872.

<sup>54</sup> [Rule 29 of the Ballot Act 1872.](#)

<sup>55</sup> [Rule 30 of the Ballot Act 1872.](#)

<sup>56</sup> Paragraph 2(2) of Schedule 4 of the Representation of the People Act 2000 (~~applied to Ward elections in the City as modified~~ by section 8(2) of the City of London (Various Powers) Act 1957). [See also Rules 18-19 of the Ballot Act 1872.](#)

<sup>57</sup> Paragraph 7(1) of Schedule 4 of the Representation of the People Act 2000.

<sup>58</sup> Paragraphs 3(2) and 4(2) of Schedule 4 of the Representation of the People Act 2000.

election, the Town Clerk<sup>59</sup> must grant the application if he is satisfied that the person is eligible because they: -

- (a) are registered as a service voter<sup>60</sup>;
- (b) cannot, by reason of blindness or other disability, be expected to attend and vote unaided at a polling station;
- (c) (or their spouse or civil partner) cannot be expected to attend the polling station because of the general nature of their occupation, or by reason of attendance on an educational course; or
- (d) cannot attend the polling station from their qualifying address without making a journey by sea or air<sup>61</sup> (in practice this would not arise in the context of a Ward election).

19. There are restrictions on who can be appointed and vote as a proxy. A person can only be appointed to vote as a proxy at a Ward election if that person is or will be registered in a register of local government electors in Great Britain or Northern Ireland<sup>62</sup> (for these purposes this includes a Ward list<sup>63</sup>) and is not subject to a legal incapacity<sup>64</sup> to vote at that Ward election<sup>65</sup>. In addition a person cannot vote as proxy for more than two electors of whom that person is not the spouse or civil partner, parent, grandparent, brother, sister, child or grandchild<sup>66</sup>. A person who is under 18 years of age is capable of being appointed as a proxy but cannot vote unless on the date of the poll they have

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<sup>59</sup> The responsibility under paragraphs 3(2) and 4(2) of Schedule 4 of the Representation of the People Act 2000 is specified as being that of "the registration officer". Section 8(5) of the City of London (Various Powers) Act 1957 provides that the registration officer is the Town Clerk for this purpose.

<sup>60</sup> See Part A, Section 2 "Electors", paragraph 8(b) at pages ~~5 and 6~~ 7.

<sup>61</sup> Paragraph 3(3) of Schedule 4 of the Representation of the People Act 2000.

<sup>62</sup> Paragraph 6(3A) of Schedule 4 of the Representation of the People Act 2000.

<sup>63</sup> Paragraph 6(3A) does not specifically refer to a Ward list, but for the purposes of applying Schedule 4 of the Representation of the People Act 2000 a local government election includes a Ward election – see section 8 of the City of London (Various Powers) Act 1957 as amended.

<sup>64</sup> See Part A, Section 2 "Electors", paragraph 11 at page ~~7s~~ 8 and 9.

<sup>65</sup> Paragraph 6(4) of Schedule 4 of the Representation of the People Act 2000.

<sup>66</sup> Paragraph 6(6) of Schedule 4 of the Representation of the People Act 2000.

attained that age<sup>67</sup>.

20. The following time limits apply to applications to vote by proxy: -

- (a) Applications from persons shown in the record as voting by post wishing to vote by proxy instead (and vice versa)<sup>68</sup>, must be received by the Town Clerk no later than 5.00pm on the 11<sup>th</sup> day before the date of the poll at the Ward election<sup>69</sup>.
- (b) New applications from persons to vote by proxy<sup>70</sup> (either for an indefinite period, or for a particular period or for a particular election) must be received by the Town Clerk no later than 5.00pm on the 6<sup>th</sup> day before the date of the poll at the Ward election<sup>71</sup>.
- (c) Where a person becomes disabled, or becomes aware of grounds relating to their occupation, service or employment, after 5.00pm on the 6<sup>th</sup> day before the date of the poll, that person can make an application to vote by proxy up to 5.00pm on the date of the poll itself<sup>72</sup>.

In calculating periods of time for the purposes of such applications, the following days should be disregarded: Saturday; Sunday; Christmas Eve; Christmas Day; Good Friday; or a bank holiday<sup>73</sup>.

21. The proxy is appointed when the Town Clerk issues a "proxy paper" in the prescribed form which indicates the elections at which the person appointed is entitled to vote<sup>74</sup>. The Town Clerk must keep a list of proxies for each Ward showing those persons voting by proxy together with, in each case, the names and addresses of those appointed as their proxies<sup>75</sup>. The appointment can be

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<sup>67</sup> Paragraph 6(5) of Schedule 4 of the Representation of the People Act 2000.

<sup>68</sup> Paragraph 3(6) and (7) of Schedule 4 of the Representation of the People Act 2000.

<sup>69</sup> Regulation 56(1) of the Representation of the People (England and Wales) Regulations 2001.

<sup>70</sup> Paragraphs 3(2), 4(2), 6(7) and 6(8) of Schedule 4 of the Representation of the People Act 2000.

<sup>71</sup> Regulation 56(2) and (3) of the Representation of the People (England and Wales) Regulations 2001.

<sup>72</sup> Regulation 56(3A) of the Representation of the People (England and Wales) Regulations 2001.

<sup>73</sup> Regulation 56(6) of the Representation of the People (England and Wales) Regulations 2001.

<sup>74</sup> Paragraph 6(9) of Schedule 4 of the Representation of the People Act 2000.

<sup>75</sup> Paragraph 5(3) of Schedule 4 of the Representation of the People Act 2000.

ISSUE DATE: ~~13 JUNE 2014~~ 27 AUGUST 2021

cancelled by the voter giving notice to the Town Clerk<sup>76</sup>, but this must be received ~~before~~ by no later than 5.00pm on the 11<sup>th</sup> day before the date of the poll at the Ward election<sup>77</sup>.

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<sup>76</sup> Paragraph 6(10) of Schedule 4 of the Representation of the People Act 2000.

<sup>77</sup> Regulation 56(5) of the Representation of the People (England and Wales) Regulations 2001.



## Postal Voting

### (a) Eligibility for a postal vote

22. A person who is or will appear as a voter in a Ward list can, on demand, exercise their vote by post instead of attending at a polling station. This is subject only to the application to vote by post being made within the prescribed time limits. The person can vote by post for an indefinite period, a specified period or at a particular election<sup>78</sup>. A proxy is also entitled to vote by post on demand<sup>79</sup>.
23. ~~Except in the case of applications to vote by proxy, a~~An application for or relating to an ~~absent~~ postal vote must be received by the Town Clerk not later than 5.00pm on the 11<sup>th</sup> day before the date of the poll<sup>80</sup>. This time limit applies to the following applications: to vote by post for an indefinite period or for a particular period specified in the application or for a particular election; to change a postal vote to a proxy vote (and vice versa)<sup>81</sup>; to change the address to which a ballot paper is sent<sup>82</sup>; and to be removed from the record as voting by post<sup>83</sup>. Saturdays, Sundays, Christmas Eve, Christmas Day, Good Friday and bank holidays are not counted. The Town Clerk must keep a postal voters list<sup>84</sup> and proxy postal voters list<sup>85</sup> for each Ward showing those persons whose applications to vote by post have been granted together with the address provided by them in their applications to which their postal ballot papers are to be sent.

### (b) Issue of postal ballot papers

24. The Town Clerk<sup>86</sup> is responsible for the issue of postal ballot papers (and postal

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<sup>78</sup> Paragraphs 3(1) and 4(1) of Schedule 4 of the Representation of the People Act 2000.

<sup>79</sup> Paragraph 7(4) and (5) of Schedule 4 of the Representation of the People Act 2000.

<sup>80</sup> Regulation 56(~~1~~), (~~4~~) and (~~5~~) of the Representation of the People (England and Wales) Regulations 2001.

<sup>81</sup> Paragraph 3(6) and 3(7) of Schedule 4 of the Representation of the People Act 2000.

<sup>82</sup> Paragraph 4(3) of Schedule 4 of the Representation of the People Act 2000.

<sup>83</sup> Paragraph 3(5)(a) and 7(9)(a) of Schedule 4 of the Representation of the People Act 2000.

<sup>84</sup> Paragraph 5(2) of Schedule 4 of the Representation of the People Act 2000.

<sup>85</sup> Paragraph 7(~~8~~6) of Schedule 4 of the Representation of the People Act 2000.

<sup>86</sup> The relevant rules (see footnote 8~~4~~7 below) specify that this is the responsibility of the Returning Officer. However, section 8(4) of the City of London (Various Powers) Act 1957 provides that for the purpose of these rules the Town Clerk shall act instead of the Returning Officer.

voting statements) to those persons entitled to vote by post<sup>87</sup>. They must be issued as soon as it is practicable to do so<sup>88</sup>. No person is entitled to be present at the issue of postal ballot papers other than the Town Clerk and his clerks<sup>89</sup>, and all must be made aware, in writing, of their duty to maintain and aid in maintaining the secrecy of voting<sup>90</sup>. The procedure to be followed<sup>91</sup> on the issue of postal ballot papers is as follows:

- (a) each postal ballot paper must be stamped with the official mark<sup>92</sup>;
- (b) the voter's Ward list number must be marked on the counterfoil attached to the ballot paper<sup>93</sup>;
- (c) the postal voters list or the proxy postal voters list must be marked against the number of the voter to denote that a ballot paper has been issued; and
- (d) the number of the postal ballot paper must be marked on the postal voting statement sent to the elector with the paper (in practice, the postal voting statement is pre-printed with the voter's name, the address to which the postal ballot paper is to be sent and the number on the back of the ballot paper).

25. The postal ballot paper together with the postal voting statement and two envelopes (envelope "A" into which the voter inserts the marked postal ballot paper and covering envelope "B" into which ~~he or she inserts~~they insert envelope "A" and the completed postal voting statement for return to the Town

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<sup>87</sup> Rule 22 of the Local Elections (Principal Areas) (England and Wales) Rules 2006 (~~applied to Ward elections in the City by section 8(4) of the City of London (Various Powers) Act 1957~~).

<sup>88</sup> Regulation 71 of the Representation of the People (England and Wales) Regulations 2001.

<sup>89</sup> Regulation 67 of the Representation of the People (England and Wales) Regulations 2001.

<sup>90</sup> Regulation 70 of the Representation of the People (England and Wales) Regulations 2001, requiring notification of the provisions of section 66(4) and (6) of the Representation of the People Act 1983.

<sup>91</sup> Regulation 72 of the Representation of the People (England and Wales) Regulations 2001, modified as necessary for Ward Elections.

<sup>92</sup> This provision is now omitted from Regulation 72(1), but needs to be retained for Ward Elections.

<sup>93</sup> Reference to a counterfoil substituted for corresponding number list in Regulation 72(2).

Clerk<sup>94</sup>) are sent to the voter at the address shown in the postal voters list or on the proxy postal voters list.

26. As soon as practicable after the issue of postal ballot papers, the Town Clerk must seal in a packet the counterfoils of the issued ballot papers. He must also take proper precautions for the security of the marked copy of the postal voters list and the proxy postal voters list<sup>95</sup>.
27. The Town Clerk must issue a replacement postal ballot paper if a postal ballot paper or postal voting statement becomes spoilt<sup>96</sup>, or if, by the 4<sup>th</sup> day before polling day, the voter has not received or has lost ~~his~~ their postal ballot paper, postal voting statement or one or more envelopes, and the Town Clerk is satisfied as to the voter's identity and has no reason to doubt that the voter has lost or did not receive the original postal ballot paper, postal voting statement or envelope<sup>97</sup>. For both spoilt and lost papers, the voter must apply to the Town Clerk by no later than 5.00pm on polling day. ~~He~~ They must return any postal ballot paper, postal voting statement and envelopes that ~~he has~~ they have, and the documents must be cancelled and sealed in a separate packet. Applications made after 5.00pm on the day before polling day must be made in person and the Town Clerk can only hand a replacement to the voter. The Town Clerk must keep a list of spoilt postal ballot papers and a separate list of lost postal ballot papers.

### **(c) Receipt of postal ballot papers**

28. Covering envelopes containing postal ballot papers and postal voting statements can be returned to the Town Clerk by hand or by post, or by hand to the polling station in the Ward in which the election is being held<sup>98</sup>. Postal ballot papers must be received no later than the time for the close of poll (see paragraph 14 above). The Town Clerk must place the postal ballot papers in a "postal voters' ballot box" immediately upon receipt until the time appointed

<sup>94</sup> Regulation 74 of the Representation of the People (England and Wales) Regulations 2001.

<sup>95</sup> Regulation 75 of the Representation of the People (England and Wales) Regulations 2001 modified as necessary i.e. with "counterfoils" substituted for "completed corresponding number lists".

<sup>96</sup> Regulation 77 of the Representation of the People (England and Wales) Regulations 2001.

<sup>97</sup> Regulation 78 of the Representation of the People (England and Wales) Regulations 2001.

<sup>98</sup> Regulation 79 of the Representation of the People (England and Wales) Regulations 2001.

for the opening of the postal ballot paper envelopes<sup>99</sup>. The Town Clerk must give each candidate not less than 48 hours<sup>2</sup> notice in writing of the time and place of such opening<sup>100</sup>. The presiding officer should place postal ballot papers received at the polling station in a separate package in readiness for the count.

**(d) Opening of postal ballot paper envelopes**

29. Candidates and their agents are entitled to attend the opening of the postal voters' ballot box<sup>101</sup> and of the postal ballot papers by the Town Clerk<sup>102</sup>, the procedure for which is as follows. In carrying out these procedures the Town Clerk must keep the ballot papers face downwards and take proper precautions to prevent any person from seeing the votes cast<sup>103</sup>: -

- (a) The postal voters' ballot box is opened, the covering envelopes (envelope "B") contained therein are counted and the number recorded<sup>104</sup>. Each covering envelope is opened separately<sup>105</sup>.
- (b) The Town Clerk must satisfy himself that the postal voting statement is duly completed. The date of birth and signature on any postal voting statement must be compared against the details contained in the personal identifier record<sup>106</sup>. The statement is important as its purpose is to identify the voter and prevent personation. If the Town Clerk is not satisfied that the statement is duly completed he must mark it "rejected" and place it together with the attached ballot paper envelope (envelope "A") or the ballot paper in the receptacle for rejected votes (verification procedure)<sup>107</sup>. Before so doing, the Town Clerk shall show the statement to the candidates and their agents. The Town Clerk must

<sup>99</sup> Regulations 81 and 82 of the Representation of the People (England and Wales) Regulations 2001.

<sup>100</sup> Regulation 80 of the Representation of the People (England and Wales) Regulations 2001.

<sup>101</sup> Regulations 69 and 83 of the Representation of the People (England and Wales) Regulations 2001.

<sup>102</sup> In opening the covering envelopes ~~the~~ Town Clerk is acting as agent on behalf of the Returning Officer – see section 8(4)(iii) of the City of London (Various Powers) Act 1957.

<sup>103</sup> Regulation 84(6)(a) of the Representation of the People (England and Wales) Regulations 2001.

<sup>104</sup> Regulation 84(1) of the Representation of the People (England and Wales) Regulations 2001.

<sup>105</sup> Regulation 84(1B) of the Representation of the People (England and Wales) Regulations 2001.

<sup>106</sup> Regulation 85A(2) of the Representation of the People (England and Wales) Regulations 2001.

<sup>107</sup> Regulation 85A(3) of the Representation of the People (England and Wales) Regulations 2001.

also permit the candidates and agents to view the relevant entries in the personal identifier record. If any of them object to his decision he shall add the words "rejection objected to" to the statement<sup>108</sup>. If the Town Clerk is satisfied that the statement is duly completed he must examine the number on the statement against the number on the ballot paper envelope.

- (c) Where the number on the postal voting statement is the same as the number on the ballot paper envelope the statement is placed in the receptacle for postal voting statements (verification procedure) and the ballot paper envelope is placed in a receptacle for ballot paper envelopes<sup>109</sup>. Each ballot paper envelope placed in the receptacle for ballot paper envelopes is opened separately and the number on the envelope compared to the number on the ballot paper. Where these are the same, the ballot paper is placed in the postal ballot box (the empty postal ballot box is shown to a person or persons attending the opening of postal ballot papers, following which it is sealed). Where the numbers do not match, the ballot paper is placed in the receptacle for rejected votes with the ballot paper envelope attached and marked "provisionally rejected". Any ballot paper envelope which does not contain a ballot paper is placed in the receptacle for rejected ballot paper envelopes marked "provisionally rejected"<sup>110</sup>.
- (d) Where the number on the postal voting statement is not the same as the number on the ballot paper envelope, or the ballot paper envelope has no number on it, the ballot paper envelope is opened<sup>111</sup> and the number on the statement is compared to the number on the ballot paper. The number on the postal voting statement is also compared to the number on the ballot paper where there is no ballot paper envelope<sup>112</sup>. Where the numbers are the same the statement is placed in the receptacle for

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<sup>108</sup> Regulation 85A(4) of the Representation of the People (England and Wales) Regulations 2001.

<sup>109</sup> Regulation 85A(5) of the Representation of the People (England and Wales) Regulations 2001.

<sup>110</sup> Regulation 86 of the Representation of the People (England and Wales) Regulations 2001.

<sup>111</sup> Regulation 85A(6) of the Representation of the People (England and Wales) Regulations 2001.

<sup>112</sup> Regulations 84(2) & 85A(7) of the Representation of the People (England and Wales) Regulations 2001.

postal voting statements and the ballot paper is placed in the postal ballot box. Where the numbers do not match, the ballot paper is placed in the receptacle for rejected votes (verification procedure) with the postal voting statement attached and marked "provisionally rejected". Where the envelope does not contain a ballot paper the postal voting statement is to be marked "provisionally rejected" and placed in the receptacle for rejected votes (verification procedure)<sup>113</sup>.

- (e) If a covering envelope does not contain a postal voting statement (whether separately or not) the Town Clerk must mark the covering envelope "provisionally rejected" and place it and its contents in the receptacle for rejected votes<sup>114</sup>. If the covering envelope contains a ballot paper envelope but no postal voting statement, the Town Clerk must open the ballot paper envelope to ascertain whether the postal voting statement is inside<sup>115</sup>.
- (f) The Town Clerk must keep a list of rejected postal ballots recording the ballot paper number of any postal ballot paper for which no valid postal voting statement was received<sup>116</sup>. He must also keep a list of ballot paper numbers set out on valid postal voting statements where the ballot paper in question was not received with that statement<sup>117</sup>. In addition he must keep a list recording, for every postal voting statement within the receptacle for rejected votes (verification procedure) immediately prior to sealing: the elector's name and address (and the name and address of the proxy if the elector has a proxy); the elector's number on the Ward list (and the electoral number of the proxy if the elector has a proxy); the specified reason or reasons for the rejection of the postal voting statement; and any other information relating to the rejection that the Town Clerk considers appropriate, but not the ballot paper

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<sup>113</sup> Regulation 85A(8) of the Representation of the People (England and Wales) Regulations 2001.

<sup>114</sup> Regulation 84(4) of the Representation of the People (England and Wales) Regulations 2001.

<sup>115</sup> Regulation 84(3) of the Representation of the People (England and Wales) Regulations 2001.

<sup>116</sup> Regulation 87(2) of the Representation of the People (England and Wales) Regulations 2001.

<sup>117</sup> Regulation 87(3) of the Representation of the People (England and Wales) Regulations 2001.

number<sup>118</sup>. The specified reasons that may be given for the rejection of a postal voting statement are that the signature or date of birth does not match the personal identifiers record, or that the signature or date of birth field is blank<sup>119</sup>.

- (g) Where at any time before the close of poll the Town Clerk either receives a valid postal voting statement on its own, or a postal ballot paper on its own he should check the above lists, and should do so again as soon as practicable after the close of poll. Where there is a match in numbers, the "provisionally rejected" documents should be retrieved and dealt with as if they had not been provisionally rejected<sup>120</sup>.
- (h) After the completion of the procedures for opening postal ballot paper envelopes, separate packets must be made up for the receptacle of rejected votes; the receptacle of rejected ballot paper envelopes; the lists of spoilt, lost or cancelled postal ballot papers; the receptacle of rejected votes (verification procedure); and the receptacle of postal voting statements (verification procedure). Any documents in those packets marked "provisionally rejected" are by this stage deemed to be rejected<sup>121</sup>. The postal ballot box is sealed, and delivered to the count.

### **The count**

- 30. The Returning Officer for a Ward election is responsible for making arrangements for the count as soon as practicable after the close of the poll<sup>122</sup>. In practice, those officers appointed by the Returning Officer for the conduct of the poll are also appointed for the purposes of conducting the count.
- 31. Those eligible to attend the count are the Returning Officer, ~~his or her~~ their assistants, the candidates and their agents. All persons must have made the

<sup>118</sup> Regulation 87(4) of the Representation of the People (England and Wales) Regulations 2001.

<sup>119</sup> Regulation 87(5) of the Representation of the People (England and Wales) Regulations 2001.

<sup>120</sup> Regulation 88 of the Representation of the People (England and Wales) Regulations 2001.

<sup>121</sup> Regulation 89 of the Representation of the People (England and Wales) Regulations 2001.

<sup>122</sup> Rule 32 of the Ballot Act 1872.

declaration of secrecy. No other person is entitled to attend without the sanction of the Returning Officer<sup>123</sup>. The procedure for the count is as follows:-

- (a) Any postal ballot papers received at the polling station should be verified in accordance with the procedure set out in paragraph 29 above. The postal ballot box, which is delivered to the count, is opened and the postal ballot papers contained therein are mixed with the verified postal ballot papers received at the polling station. These ballot papers are put to one side whilst the votes cast at the polling station are verified.
- (b) The ballot box containing the votes cast at the polling station is opened and the ballot papers are counted and verified against the ballot paper account (see paragraph 16(g) above, and Appendix 5). Whilst counting and recording the number of ballot papers and counting the votes, the ballot papers must be kept face up so that no person can see the number printed on the reverse of a ballot paper<sup>124</sup>.
- (c) The postal ballot papers and the ballot papers cast at the polling station are mixed together, sorted for individual candidates (where appropriate) and the votes counted. The ballot papers must be scrutinised and the Returning Officer must endorse as rejected any ballot paper which is invalid due to: there being no official mark on the paper; the voter has voted for more candidates than ~~he or she is~~they are entitled to; writing or other mark on the ballot paper that enables the voter to be identified; and/or the ballot paper is unmarked or otherwise void for uncertainty<sup>125</sup>. If an objection to the rejection is made by a candidate or ~~his~~their agent, the ballot paper must be endorsed "rejection objected to".
- (d) On completion of the count, the counted and rejected ballot papers are sealed in separate packages<sup>126</sup>.

<sup>123</sup> Rule 33 and Rule 51 of the Ballot Act 1872.

<sup>124</sup> Rule 34 of the Ballot Act 1872.

<sup>125</sup> Rule 36 of the Ballot Act 1872.

<sup>126</sup> Rule 37 of the Ballot Act 1872.



32. Any candidate or agent present may require the Returning Officer to have the votes recounted (or again recounted), but the Returning Officer may refuse to do so if in their opinion the request is unreasonable<sup>127</sup>. Where an equality of votes exists between candidates the Returning Officer, whether or not ~~he or she~~ isthey are included in the Ward list and entitled to vote at that election, may give a deciding vote<sup>128</sup>. Exercising a casting vote is discretionary. The preferred course would be for the Returning Officer to draw lots to determine how to cast ~~his~~ their deciding vote between the tied candidates.

### **The Adjourned Wardmote**

33. Following the completion of the count the Wardmote is resumed.

#### **(a) Adjourned Wardmote for the election of Alderman**

34. The procedure is as follows: -

- (a) Procession to enter the Wardmote.
- (b) On the instruction of the Honorary Ward Clerk the Wardmote is resumed and called to order by the Ward Beadle (see Appendix 4).
- (c) The Presiding Officer declares the result of the poll and declares the successful candidate elected as Alderman.
- (d) The successful candidate returns thanks, followed by the other candidates if they so wish in order of votes cast.
- (e) Any general business of the Wardmote is considered.
- (f) A resolution is passed that a public notice be given of the name of the candidate elected.

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<sup>127</sup> This is consistent with the rule which has national effect, namely Rule 46(1) of the Local Elections (Principal Areas) (England and Wales) Rules 2006, although this Rule is not amongst the 2006 Rules applicable to Ward elections in the City.

<sup>128</sup> Section 6 of the City of London Ballot Act 1887.

- (g) A vote of thanks is passed to the Presiding Officer who returns thanks.
- (h) The Ward Beadle closes the Wardmote by proclamation in the prescribed form.
- (i) The Mayoral party retires.

**(b) Adjourned Wardmote for the election of Common Councilman/men**

35. The procedure is as follows: -

- (a) Procession to enter the Wardmote.
- (b) On the instruction of the Honorary Ward Clerk the Wardmote is resumed and called to order by the Ward Beadle (see Appendix 4).
- (c) The Presiding Officer declares the result of the poll and declares the successful candidate elected as a Common Councilman, or the successful candidates elected as Common Councilmen, as appropriate.
- (d) The successful candidate(s) return(s) thanks, followed by the other candidates if they so wish in order of votes cast.
- (e) The successful candidate(s) subscribe the declaration of office before the Presiding Officer.
- (f) At the Wardmote for the ordinary election of Common Councilmen<sup>129</sup> the Alderman appoints ~~his or her~~ their Deputy.
- (g) The Return to Precept is completed.

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<sup>129</sup> The ordinary election of Common Councilmen takes place in March in every fourth year ~~(from 2013)~~ (section 2 of the Act of Common Council of 13 September 2012) and exceptionally in 2022 (section 2 of the Act of Common Council of 8 October 2020).

- (h) Any general business of the Wardmote is considered.
- (i) A resolution is passed that a public notice be given of the name of the candidate(s) elected.
- (j) A vote of thanks is passed to the Presiding Officer who returns thanks.
- (k) The Ward Beadle closes the Wardmote by proclamation in the prescribed form.
- (l) The Alderman's party retires.

**Ward Expenses**

36. Various Ward expenses and fees are paid in connection with Ward elections<sup>130</sup>: -

(a) Fees for Honorary Ward Clerks: -

	Ward A <sup>131</sup>	Ward B	Ward C
Annual Fee	<del>£647.40</del> <u>£738</u>	<del>£820.10</del> <u>£938</u>	<del>£1016.10</del> <u>£1162</u>
Fee – uncontested election	<del>£151.50</del> <u>£177.77</u>	<del>£206.65</del> <u>£243.61</u>	<del>£324.60</del> <u>£380.79</u>
Fee – contested election	<del>£396.46</del> <u>£66.38</u>	<del>£530.15</del> <u>£624.40</u>	<del>£664.30</del> <u>£783.52</u>

(b) Ward Beadles fee: ~~£707~~£807 per annum.

(c) Fee for Presiding Officer at polling station: ~~£250~~£299.

(d) Fees for Poll Clerks at polling station: ~~£150~~£202.67.

(e) Counting fee: ~~– Presiding Officer £52.60~~£23.00 per hour.  
Poll Clerks £15.59 per hour.

37. Fees for Honorary Ward Clerks and Ward Beadles are increased ~~from 1 April~~ each year in line with the annual pay award agreed for Corporation staff<sup>132</sup>.  
Other election fees are increased in line with annual guidance from London Councils.

38. In addition to fees, the Town Clerk's Electoral Registration Office meets the costs for all facilities necessary to run an election, for example the hire of rooms and equipment to run polling stations. Subject to budgetary constraints,

<sup>130</sup> Section 17 of the City of London (Union of Parishes) Act 1907 and regulation 4 of the General Rate Act 1967 and Related Provisions (Savings and Consequential Provision) Regulations 1990.

<sup>131</sup> "Ward A" is a Ward in respect of which the number of names appearing on the Ward list for that Ward does not exceed 250; "Ward B" is a Ward in respect of which the number of names appearing on the Ward list for that Ward exceeds 250 but does not exceed 1,000; and "Ward C" is a Ward in respect of which the number of names appearing on the Ward list for that Ward exceeds 1,000.

<sup>132</sup> Resolutions of the General Purposes Committee of Aldermen and the Finance Committee of 12 January and 16 February 1999.

the Office also meets the cost of the provision, amendment and refurbishment of Ward notice boards and the renewal and renovation of Ward regalia.

## SECTION 7

### POST ELECTION

#### **Election of Alderman**

1. The Return to Precept for the election of an Alderman<sup>1</sup> is made by the Comptroller and City Solicitor, who attends the Wardmote as Attorney in Waiting to the Lord Mayor, to the first Court of Aldermen to be next held after seven clear days following the Ward election<sup>2</sup>.
2. In the past, a successful candidate in a Ward election for the office of Alderman was subject to the approval of the Court of Aldermen. The position today is that a person qualified to be elected to the office of Alderman and so elected at a Ward election is deemed to have been approved by the Court of Aldermen<sup>3</sup>. The successful candidate is, however, required to make the Aldermanic Declaration and Oaths before the Court of Aldermen<sup>4</sup>. These are in the following terms: -

*I, [name of person] do solemnly, sincerely and truly declare that I will faithfully perform the duties of the Office of Alderman of the City of London.*

*I [name of person] do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth The Second, Her Heirs and Successors according to law, so help me God.*

*I [name of person] do swear that I will well and truly serve Our Sovereign Lady Queen Elizabeth the Second in the Office of Alderman and I will do right*

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<sup>1</sup> See Part B of this volume for the form of the Return to Precept.

<sup>2</sup> Section 4 of the Act of Common Council of 14 July 1960 (as substituted by section 5 of the Act of Common Council of 16 May 2013).

<sup>3</sup> Section 5 of the Act of Common Council of 10 September 1998.

<sup>4</sup> The Court of Aldermen resolved on 26 September 1871 that the Declaration and Oaths be in accordance with the provisions of the Promissory Oaths Act 1868.

*to all manner of people, after the laws and usages of this Realm without fear or favour, affection or ill will, so help me God.*

3. The "will" concept indicates that the declarant can only be in a position to discharge the office of Alderman once ~~he or she has~~ they have taken the Declaration and Oaths before the Court of Aldermen. An Alderman who resigns and is re-elected is not required to take the Declaration and Oaths again, because their service in the office is deemed to have been uninterrupted<sup>5</sup>.

### **Election of Common Councilman**

4. The Return to Precept for the election of a Common Councilman, or Common Councilmen, is made by the Presiding Officer for the Ward election at the Wardmote. The form of the Return is prescribed<sup>6</sup> and must state the name or names of the persons elected. Such persons, on making the required Declaration (see paragraph 5 below), shall be entitled to act as, and discharge the duties of, a Common Councilman. The Return must be signed by the Presiding Officer and the Ward Clerk or by either one of them together with two of the voters present at the election certifying the Return, or the Honorary Ward Clerk in the absence of voters. The Return must be delivered to the Town Clerk at the close of the election or on the following day, provided that if the election closes on a Friday, the Return may be delivered on the following Monday<sup>7</sup>; also a day of the Christmas break, of the Easter break, of a bank holiday break (i.e. the period beginning with the last week day before that bank holiday and ending with the next week day which is not a bank holiday) or a day appointed for public thanksgiving or mourning shall be disregarded<sup>8</sup>.

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<sup>5</sup> See Part A, Section 4, paragraph 3(b) at page 18.

<sup>6</sup> Section 1(7) and the Schedule to the Act of Common Council of 10 October 2002 – see Part B of this volume for the form of the Return to Precept.

<sup>7</sup> Section 1(2) of the Act of Common Council of 10 October 2002.

<sup>8</sup> Section 1(3) – (5) of the Act of Common Council of 10 October 2002.

5. A Common Councilman can either make the Declaration at the Wardmote<sup>9</sup> before the Alderman presiding or at any time after the election before the Lord Mayor, an Alderman or a Justice of the Peace and must lodge it with the Town Clerk within seven days of making it. A person elected as a Common Councilman shall not be deemed and taken to be such and shall not be entitled to act as such until that person has made and subscribed the Declaration<sup>10</sup>.

#### **Notice of candidate elected**

6. As soon as possible after the election, the Returning Officer must give public notice of the name(s) of the candidate(s) elected, and for a contested election, the total number of votes given for each candidate, whether elected or not. The notice can be given by whatever means the Returning Officer considers best to inform the electors in the Ward<sup>11</sup>.

#### **Election expenses**

7. The submission of claims and accounts for election expenses, the payment thereof and the delivery of returns as to such expenses and declarations are described in Section 5 of this volume (paragraphs [123](#) to [187](#) at pages [324](#)-[346](#)).

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<sup>9</sup> See Part B for an example of the form of Declaration to be subscribed by a Common Councilman.

<sup>10</sup> Act of Common Council of 1 November 1928.

<sup>11</sup> Rules 45 and 46 of the Ballot Act 1872.

## APPENDIX 1

### **WARDS OF THE CITY OF LONDON**

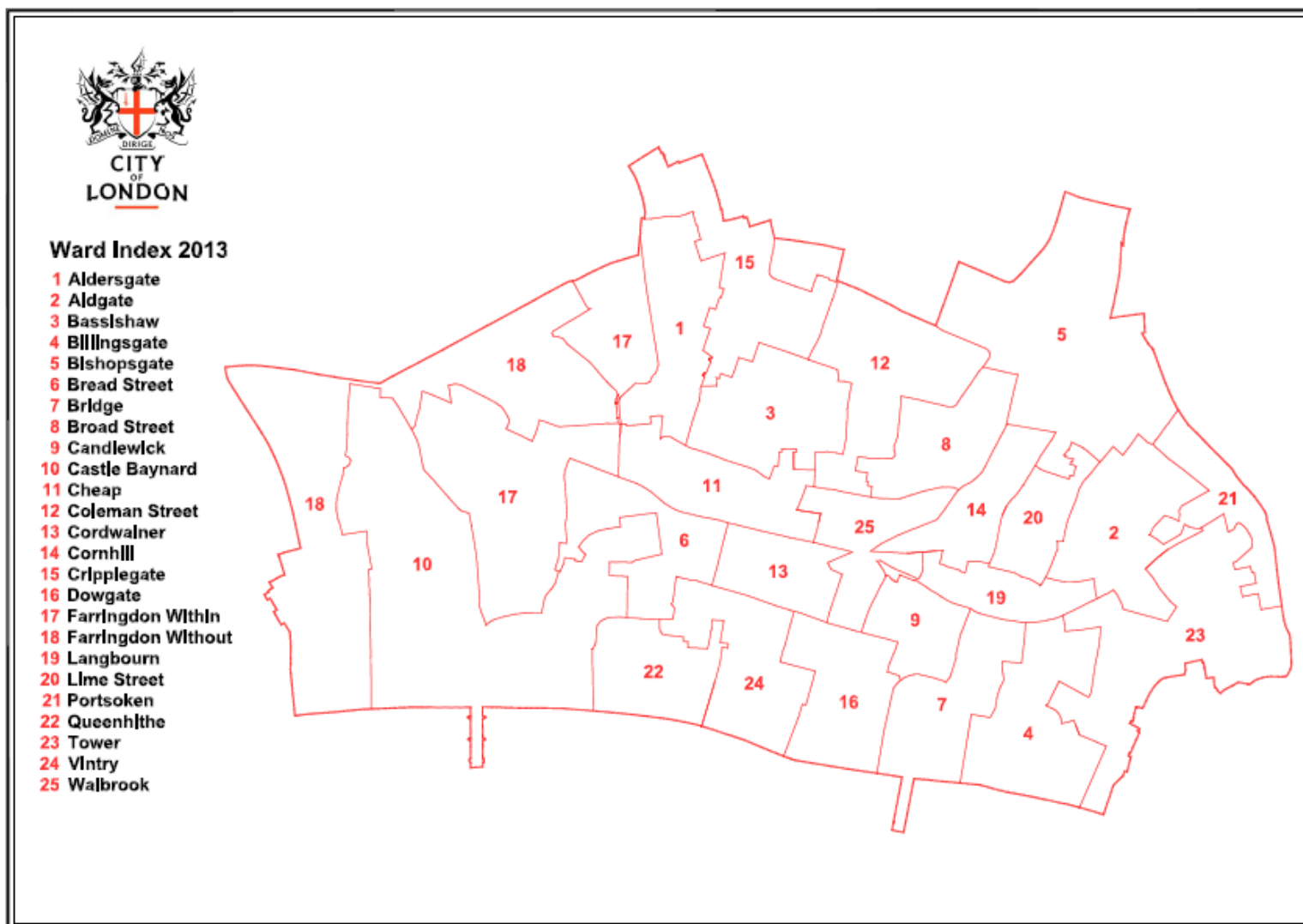
- 1.1 Map of the Wards of the City of London<sup>1</sup>
- 1.2 Number of Common Councilmen for each Ward<sup>2</sup>

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<sup>1</sup> Section 3 of the Act of Common Council of 4 November 2010

<sup>2</sup> Section 4 of the Act of Common Council of 4 November 2010





## 1.2 Number of Common Councilmen for each Ward

WARD		NUMBER
Aldgate	-	5
Aldersgate	-	6
Bassishaw	-	2
Billingsgate	-	2
Bishopsgate	-	6
Bread Street	-	2
Bridge	-	2
Broad Street	-	3
Candlewick	-	2
Castle Baynard	-	8
Cheap	-	3
Coleman Street	-	4
Cordwainer	-	3
Cornhill	-	3
Cripplegate	-	8
Dowgate	-	2
Farringdon Within	-	8
Farringdon Without	-	10
Langbourn	-	3
Lime Street	-	4
Portsoken	-	4
Queenhithe	-	2
Tower	-	4
Vintry	-	2
Walbrook	-	2
<b>TOTAL</b>		<b>100</b>

**ALDERMANIC ELECTION – TIMETABLE**

STEP	DETAIL	LATEST TIME/DATE
<i>Death, disqualification, resignation or surrender of office</i>	Town Clerk to report to the next regular meeting of the Court of Aldermen <sup>1</sup>	
<i>Holding of Wardmote</i>	The specified time period for the holding of the Wardmote starts to run from the meeting of the Court of Aldermen referred to above <sup>2</sup>	within 42 working days thereafter <sup>3</sup>
<i>Issue of Precept</i>	By Lord Mayor <sup>4</sup>	Not later than the 28 <sup>th</sup> day before the day fixed for the holding of the Ward election <sup>5</sup>
<i>Notice of Ward Election</i>	Prepared and published by Ward Clerk <sup>6</sup>	Not later than the 25 <sup>th</sup> day before the day fixed for the holding of the Ward election <sup>5</sup>
<i>Delivery of Nomination Papers</i>	To the Ward Clerk <sup>7</sup>	Not later than noon on the 19 <sup>th</sup> day before the day fixed for the holding of the Ward election <sup>5</sup>

<sup>1</sup> Section 3 of the Act of Common Council of 14 July 1960 (as substituted by section 2 of the Act of Common Council of 17 May 1979).

<sup>2</sup> Section 4 of the Act of Common Council of 14 July 1960 (as substituted by section 5 of the Act of Common Council of 16 May 2013).

<sup>3</sup> Excludes Saturdays, Sundays and public holidays – see section 4A of the Act of Common Council of 14 July 1960 (as substituted by section 6 of the Act of Common Council of 16 May 2013).

<sup>4</sup> Section 5 of the Act of Common Council of 14 July 1960.

<sup>5</sup> Excludes Sundays, the Christmas Break, the Easter Break, bank holidays and days appointed for public thanksgiving or mourning (Section 1 of the Act of Common Council of 9 April 1970 – see Part A, Section 4 “Notice of Election to Notice of Poll”, paragraph 6 at page [1920](#)).

<sup>6</sup> Section 6(1) of the Act of Common Council of 14 July 1960 (as substituted by section 3 of the Act of Common Council of 6 November 2008).

<sup>7</sup> Section 7(1) of the Act of Common Council of 14 July 1960 (as substituted by section 4 of the Act of Common Council of 6 November 2008).

STEP	DETAIL	LATEST TIME/DATE
<i>Delivery of consent to nomination</i>	By each candidate to the Ward Clerk <sup>8</sup>	On or within one month before the last date for the delivery of nomination papers <sup>9</sup>
<i>Decisions on validity of nominations</i>	(i) By Ward Clerk <sup>10</sup> ; (ii) Who provides confirmation in writing to each candidate <sup>11</sup>	As soon as practicable  Not later than noon on the 13 <sup>th</sup> day before the day fixed for the holding of the Ward election <sup>5</sup>
<i>Statement of Persons Nominated</i>	Prepared and published by the Ward Clerk <sup>12</sup>	Not later than noon on the 17 <sup>th</sup> day before the day fixed for the holding of the Ward election <sup>5</sup>
<i>Withdrawal of candidates nominated</i>	Delivery to Ward Clerk by candidate <sup>13</sup> or by proposer (if candidate is outside the UK) <sup>14</sup>	Not later than noon on the 16 <sup>th</sup> day before the day fixed for the holding of the Ward election <sup>5</sup>
<i>Appointment of Election Agents</i>	By each candidate and notified to the Town Clerk <sup>15</sup>	Not later than the latest time for the delivery of a notice of withdrawal

<sup>8</sup> Section 8 of the Act of Common Council of 14 July 1960.

<sup>9</sup> This is a calendar month ([See for context](#) Section 1 of the Act of Common Council of 9 April 1970).

<sup>10</sup> Section 9(3) of the Act of Common Council of 14 July 1960 (as substituted by section 4 of the Act of Common Council of 9 April 1970).

<sup>11</sup> Section 9(7) of the Act of Common Council of 14 July 1960. Notwithstanding the stated deadline, written confirmation should be given to candidates before the publication of the statement of persons nominated i.e. by noon on the 17<sup>th</sup> day before the election.

<sup>12</sup> Section 10(1) of the Act of Common Council of 14 July 1960 (as substituted by section 6 of the Act of Common Council of 6 November 2008).

<sup>13</sup> Section 11(1) of the Act of Common Council of 14 July 1960 (as substituted by section 7 of the Act of Common Council of 6 November 2008).

<sup>14</sup> Section 11(2) of the Act of Common Council of 14 July 1960.

<sup>15</sup> Section 67(1) of the Representation of the People Act 1983.

STEP	DETAIL	LATEST TIME/DATE
<i>Notice of name and address of Election Agents</i>	Published by Town Clerk <sup>16</sup>	Forthwith after the information is provided to the Town Clerk
<i>Postal and Proxy votes</i>	New applications by electors for a postal vote, applications to change postal vote to a proxy vote (and vice versa), to change a ballot paper address or to cancel a postal or proxy vote <sup>17</sup>	Not later than 5.00pm on the 11 <sup>th</sup> day before the date of the poll at the election <sup>18</sup>
<i>Issue of Postal Ballot Papers</i>	By Town Clerk <sup>19</sup>	As soon as practicable
<i>Notice of Poll</i>	Prepared and published by Ward Clerk <sup>20</sup>	Not later than the 6 <sup>th</sup> day before the day fixed for the holding of the Ward election <sup>5</sup>
<i>New Proxy Votes</i>	New applications by electors <sup>21</sup>	Not later than 5.00pm on the 6 <sup>th</sup> day before the day of the poll <sup>18</sup>
<i>Election Day</i>	Day fixed for the holding of the Wardmote	

<sup>16</sup> Section 67(6) of the Representation of the People Act 1983.

<sup>17</sup> Regulation 56 of the Representation of the People Act (England and Wales) Regulations 2001.

<sup>18</sup> Excludes Saturdays, Sundays, Christmas Eve, Christmas Day, Good Friday and bank holidays (Regulation 56(6) of the Representation of the People (England and Wales) Regulations 2001 – see Part A, Section 6 “Wardmote and Polling Arrangements”, paragraph 20 at pages [4950-501](#)).

<sup>19</sup> Regulation 71 of the Representation of the People Act (England and Wales) Regulations 2001.

<sup>20</sup> Section 11A(3) of the Act of Common Council of 14 July 1960 (as substituted by section 8 of the Act of Common Council of 6 November 2008).

<sup>21</sup> Regulation 56(2) of the Representation of the People Act (England and Wales) Regulations 2001.

STEP	DETAIL	LATEST TIME/DATE
<i>Poll</i>	Where the number of persons nominated exceeds the number of vacancies <sup>22</sup>	On the day following the day fixed for the election <sup>23</sup>
<i>Emergency Proxy</i>	Application by electors who have become disabled, or become aware of grounds relating to their occupation, service or employment, after 5.00pm on the 6 <sup>th</sup> day before the date of the poll at the Ward election <sup>24</sup>	By 5.00pm, polling day
<i>Return to Precept</i>	By the Comptroller and City Solicitor to the Court of Aldermen <sup>25</sup>	Next held after 7 clear days after the election <sup>5</sup>
<i>Declaration and Oaths</i>	By the successful candidate before the Court of Aldermen	As above
<i>Election Expenses –Return</i>	By the election agent delivered to the Town Clerk <sup>26</sup> . The election agent must also submit a declaration verifying the return <sup>27</sup>	Within 35 days after the day on which the result of election is declared <sup>28</sup>
<i>Election Expenses - Declaration</i>	By the candidate to the Town Clerk verifying the return <sup>29</sup>	At the same time as the return of election expenses or within 7 days thereafter <sup>30</sup>

<sup>22</sup> Section 11A(1) of the Act of Common Council of 14 July 1960 (as inserted by section 1 of the Act of Common Council of 7 July 1977).

<sup>23</sup> Excludes Saturdays, Sundays, Christmas Day, Good Friday, bank holidays and days appointed for public thanksgiving or mourning (Section 11A(2) of the Act of Common Council of 14 July 1960 (as inserted by section 1 of the Act of Common Council of 7 July 1977) – see Part A, Section 6 “Wardmote and Polling Arrangements”, paragraph 13 at pages 456-467).

<sup>24</sup> Regulation 56(3A) of the Representation of the People (England and Wales) Regulations 2001.

<sup>25</sup> Section 4 of the Act of Common Council of 14 July 1960 (as substituted by section 5 of the Act of Common Council of 16 May 2013).

<sup>26</sup> Section 81(1) of the Representation of the People Act 1983.

<sup>27</sup> [Section 82\(1\) of the Representation of the People Act 1983](#).

<sup>28</sup> All days are counted, but where the deadline would fall on a Saturday, Sunday, Christmas Eve, Christmas Day, Good Friday, bank holiday or day appointed for public thanksgiving or mourning, it is instead deemed to fall on the next following day (Section 119 of the Representation of the People Act 1983 – see Part A, Section 5 “Election Agents and Election Expenses”, paragraph 18 at pages 34-356).

<sup>29</sup> Section 82(2) of the Representation of the People Act 1983.

<sup>30</sup> Excludes Saturdays, Sundays, Christmas Eve, Christmas Day, Good Friday, bank holidays and days appointed for public thanksgiving or mourning (Section 119 of the Representation of the People Act 1983 – see Part A, Section 5 “Election Agents and Election Expenses”, paragraph 18 at pages 34-356).

## APPENDIX 3

**COMMON COUNCIL ELECTION – TIMETABLE**

The timetable for Ward elections for the office of Common Councilman is set out in this Appendix. The fourth column shows the dates for [the next ordinary](#) elections in ~~every 4<sup>th</sup> year (the next being 2017)~~ 2022. For an election to fill a [casual](#) vacancy, the timetable can be calculated [back from the date of the election](#) by reference to the third column "latest time/date".

STEP	DETAIL	LATEST TIME/DATE	TIME/DATE FOR ELECTIONS IN MARCH <del>2017</del> 2022
<i>Ward Lists</i>	Preparation and publication by Town Clerk <sup>31</sup> of: - (i) provisional lists; and (ii) final lists	By 30 November By 15 February	<del>30 November 2016</del> 30 November 2021 <del>15 February 2017</del> 15 February 2022
<i>Ordinary Election</i>	(i) Common Councilmen cease to hold office <sup>32</sup> ; and  (ii) Wardmote held <sup>33</sup>	Midnight on the day immediately preceding the Wardmote  Either the third or fourth Wednesday in March or a date determined by the Town Clerk in consultation with the Lord Mayor in every 4 <sup>th</sup> year from 2013 – <a href="#">exceptionally, due to the coronavirus pandemic, elections shall be held on a specified date in 2022 instead of 2021</a> <sup>34</sup>	<del>21 March 2017</del> 22 March 2022  <del>22 March 2017</del> 23 March 2022
<i>Death, resignation,</i>	There is no specified time limit for the holding of		

<sup>31</sup> Section 7 of the City of London (Various Powers) Act 1957 (as amended).

<sup>32</sup> Section 3 of the Act of Common Council of 13 September 2012.

<sup>33</sup> Section 2 of the Act of Common Council of 13 September 2012.

<sup>34</sup> [Section 2 of the Act of Common Council of 8 October 2020.](#)

ISSUE DATE: ~~13 JUNE 2014~~ 27 AUGUST 2021

<i>disqualification or admission as an Alderman following election to that office</i>	a Wardmote to fill a vacancy for the office of Common Councilman arising as a result of these events		
STEP	DETAIL	LATEST TIME/DATE	TIME/DATE FOR ELECTIONS IN MARCH <del>2017</del> 2022
<i>Issue of Precept</i>	By Lord Mayor <sup>35</sup>	Not later than the 28 <sup>th</sup> day before the day fixed for the holding of the Ward election <sup>36</sup>	<del>17 February 2017</del> 18 February 2022 <sup>37</sup>
<i>Notice of Ward Election</i>	Preparation and publication by Ward Clerk <sup>38</sup>	Not later than the 25 <sup>th</sup> day before the day fixed for the holding of the Ward election <sup>3436</sup>	<del>21 February 2017</del> 22 February 2022 <sup>39</sup>
<i>Delivery of Nomination Papers</i>	To the Ward Clerk <sup>40</sup>	Not later than noon on the 19 <sup>th</sup> day before the day fixed for the holding of the Ward election <sup>3436</sup>	Noon, <del>28 February 2017</del> 1 March 2022

<sup>35</sup> Section 5 of the Act of Common Council of 14 July 1960.

<sup>36</sup> Excludes Sundays, the Christmas Break, the Easter Break, bank holidays and days appointed for public thanksgiving or mourning (Section 1 of the Act of Common Council of 9 April 1970 – see Part A, Section 4 “Notice of Election to Notice of Poll”, paragraph 6 at page ~~19~~20).

<sup>37</sup> This is the deadline for the precept but it may be issued earlier.

<sup>38</sup> Section 6(1) of the Act of Common Council of 14 July 1960 (as substituted by section 3 of the Act of Common Council of 6 November 2008).

<sup>39</sup> This is the deadline for the notice but it may be published earlier.

<sup>40</sup> Section 7(1) of the Act of Common Council of 14 July 1960 (as substituted by section 4 of the Act of Common Council of 6 November 2008).



ISSUE DATE: ~~13 JUNE 2014~~ 27 AUGUST 2021

<i>Delivery of consent to nomination</i>	By each candidate to the Ward Clerk <sup>41</sup>	On or within one month before the last date for the delivery of nomination papers <sup>42</sup>	Noon, <del>28 February 2017</del> <u>1 March 2022</u>
<b>STEP</b>	<b>DETAIL</b>	<b>LATEST TIME/DATE</b>	<b>TIME/DATE FOR ELECTIONS IN MARCH <del>2017</del> 2022</b>
<i>Decision on validity of nominations</i>	(i) By Ward Clerk <sup>43</sup> ;  (ii) Who provides confirmation in writing to each candidate <sup>44</sup>	As soon as practicable after delivery of nomination paper  Not later than noon on the 13 <sup>th</sup> day before the day fixed for the holding of the Ward election <sup>3436</sup>	Noon, <del>7 March 2017</del> <u>8 March 2022</u> <sup>45</sup>
<i>Statement of Persons Nominated</i>	Prepared and published by Ward Clerk <sup>46</sup>	Not later than noon on the 17 <sup>th</sup> day before the day fixed for the holding of the Ward election <sup>3436</sup>	Noon, <del>2 March 2017</del> <u>3 March 2022</u>

<sup>41</sup> Section 8 of the Act of Common Council of 14 July 1960.

<sup>42</sup> This is a calendar month ([See for context](#) Section 1 of the Act of Common Council of 9 April 1970).

<sup>43</sup> Section 9(3) of the Act of Common Council of 14 July 1960 (as substituted by section 4 of the Act of Common Council of 9 April 1970).

<sup>44</sup> Section 9(7) of the Act of Common Council of 14 July 1960. Notwithstanding the stated deadline, written confirmation should be given to candidates before the publication of the statement of persons nominated i.e. by noon on the 17<sup>th</sup> day before the election.

<sup>45</sup> See previous footnote – in this case, written confirmation should be provided by Noon, ~~2 March 2017~~ 3 March 2022.

<sup>46</sup> Section 10(1) of the Act of Common Council of 14 July 1960 (as substituted by section 6 of the Act of Common Council of 6 November 2008).

ISSUE DATE: ~~13 JUNE 2014~~ 27 AUGUST 2021

<i>Withdrawal of candidates nominated</i>	Delivery to Ward Clerk by candidate <sup>47</sup> or by proposer (if candidate is outside the UK) <sup>48</sup>	Not later than noon on the 16 <sup>th</sup> day before the day fixed for the holding of the Ward election <sup>3436</sup>	Noon, <del>3 March 2017</del> <u>4 March 2022</u>
<i>Appointment of Election Agents</i>	By each candidate and notified to the Town Clerk <sup>49</sup>	Not later than the latest time for the delivery of a notice of withdrawal	Noon, <del>3 March 2017</del> <u>4 March 2022</u>
<i>Notice of name and address of Election Agents</i>	Published by Town Clerk <sup>50</sup>	Forthwith after the information is provided to the Town Clerk	
<b>STEP</b>	<b>DETAIL</b>	<b>LATEST TIME/DATE</b>	<b>TIME/DATE FOR ELECTIONS IN MARCH <del>2017</del>2022</b>
<i>Postal and Proxy votes</i>	New applications for a postal vote, to change postal vote to a proxy vote (and vice versa), to change ballot paper address or to cancel a postal or proxy vote <sup>51</sup>	Not later than 5.00pm on the 11 <sup>th</sup> day before the date of the poll at the election <sup>52</sup>	5.00pm, <del>8 March 2017</del> <u>9 March 2022</u>
<i>Issue of Postal Ballot Papers</i>	By Town Clerk <sup>53</sup>	As soon as practicable	
<i>Notice of Poll</i>	Prepared and published by Ward Clerk <sup>54</sup>	Not later than the 6 <sup>th</sup> day before the day fixed for the holding of the Ward election <sup>3436</sup>	<del>15 March 2017</del> <u>16 March 2022</u>

<sup>47</sup> Section 11(1) of the Act of Common Council of 14 July 1960 (as substituted by section 7 of the Act of Common Council of 6 November 2008).

<sup>48</sup> Section 11(2) of the Act of Common Council of 14 July 1960.

<sup>49</sup> Section 67(1) of the Representation of the People Act 1983.

<sup>50</sup> Section 67(6) of the Representation of the People Act 1983.

<sup>51</sup> Regulation 56 of the Representation of the People Act (England and Wales) Regulations 2001.

<sup>52</sup> Excludes Saturdays, Sundays, Christmas Eve, Christmas Day, Good Friday and bank holidays (Regulation 56(6) of the Representation of the People (England and Wales) Regulations 2001 – see Part A, Section 6 “Wardmote and Polling Arrangements”, paragraph 20 at pages ~~4950-501~~).

<sup>53</sup> Regulation 71 of the Representation of the People Act (England and Wales) Regulations 2001.

<sup>54</sup> Section 11A(3) of the Act of Common Council of 14 July 1960 (as substituted by section 8 of the Act of Common Council of 6 November 2008).

ISSUE DATE: ~~13 JUNE 2014~~ 27 AUGUST 2021

<i>New Proxy Votes</i>	New applications by electors <sup>55</sup>	Not later than 5.00pm on the 6 <sup>th</sup> day before the day of the poll <sup>21</sup>	5.00pm, <del>15 March 2017</del> <u>16 March 2022</u>
<i>Election Day</i>	Day fixed by the Precept for the holding of the Wardmote		<del>22 March 2017</del> <u>23 March 2022</u>
<i>Poll</i>	Where the number of persons nominated exceeds the number of vacancies <sup>56</sup>	On the day following the day fixed for the Ward election <sup>57</sup>	<del>23 March 2017</del> <u>24 March 2022</u>
<b>STEP</b>	<b>DETAIL</b>	<b>LATEST TIME/DATE</b>	<b>TIME/DATE FOR ELECTIONS IN MARCH <del>2017</del> 2022</b>
<i>Emergency Proxy</i>	Applications by electors who have become disabled, or become aware of grounds relating to their occupation, service or employment, after 5.00pm on the 6 <sup>th</sup> day before the date of the poll <sup>58</sup>	Not later than 5.00pm on the day of the poll	By 5.00pm on <del>23 March 2017</del> <u>24 March 2022</u>
<i>Return to Precept</i>	By the Presiding Officer to the Town Clerk <sup>59</sup>	At the close of the election or on the next following day <sup>60</sup>	<del>22 or 23 March 2017</del> <u>23 or 24 March 2022</u> (uncontested); <del>23 or 24 March 2017</del> <u>24 or 25 March 2022</u> (contested)

<sup>55</sup> Regulation 56(2) of the Representation of the People Act (England and Wales) Regulations 2001.

<sup>56</sup> Section 11A(1) of the Act of Common Council of 14 July 1960 (as inserted by section 1 of the Act of Common Council of 7 July 1977).

<sup>57</sup> Excludes Saturdays, Sundays, Christmas Day, Good Friday, bank holidays and days appointed for public thanksgiving or mourning (Section 11A(2) of the Act of Common Council of 14 July 1960 (as inserted by section 1 of the Act of Common Council of 7 July 1977) – see Part A, Section 6 “Wardmote and Polling Arrangements”, paragraph 13 at pages ~~456-467~~).

<sup>58</sup> Regulation 56(3A) of the Representation of the People (England and Wales) Regulations 2001.

<sup>59</sup> Section 1(2) of the Act of Common Council of 10 October 2002.

<sup>60</sup> Excludes Saturday, Sunday, a day of the Christmas break, of the Easter break, of a bank holiday break or a day appointed for public thanksgiving or mourning (Section 1(3) – (5) of the Act of Common Council of 10 October 2002 – See Part A, Section 7 “Post Election”, paragraph 4 at page ~~635~~).

ISSUE DATE: ~~13 JUNE 2014~~ 27 AUGUST 2021

<i>Declaration of Office</i>	By the candidate: - (i) at the Wardmote/Adjourned Wardmote; or (ii) subsequently, notice being lodged with the Town Clerk	Lodge declaration within 7 days of making <sup>3436</sup>	
<i>Election Expenses – Return</i>	By the election agent delivered to the Town Clerk <sup>61</sup> . The election agent must also submit a declaration verifying the return <sup>62</sup>	Within 35 days after the day on which the result of election is declared <sup>63</sup>	<del>26 April 2017</del> <u>27 April 2022</u> where election uncontested; <del>27 April 2017</del> <u>28 April 2022</u> where election contested
<i>Election Expenses - Declaration</i>	By the candidate to the Town Clerk verifying the return <sup>64</sup>	At the same time as the return as to election expenses or within 7 days thereafter <sup>65</sup>	

<sup>61</sup> Section 81(1) of the Representation of the People Act 1983.

<sup>62</sup> Section 82(1) of the Representation of the People Act 1983.

<sup>63</sup> All days are counted, but where the deadline would fall on a Saturday, Sunday, Christmas Eve, Christmas Day, Good Friday, bank holiday or day appointed for public thanksgiving or mourning, it is instead deemed to fall on the next following day (Section 119 of the Representation of the People Act 1983 – see Part A, Section 5 “Election Agents and Election Expenses”, paragraph 18 at pages ~~34-35~~ 356).

<sup>64</sup> Section 82(2) of the Representation of the People Act 1983.

<sup>65</sup> Excludes Saturdays, Sundays, Christmas Eve, Christmas Day, Good Friday, bank holidays and days appointed for public thanksgiving or mourning (Section 119 of the Representation of the People Act 1983 – see Part A, Section 5 “Election Agents and Election Expenses”, paragraph 18 at pages ~~34-35~~ 356).

## APPENDIX 4

### WARDMOTE AGENDA

This appendix sets out examples of a suggested form of agenda for Wardmotes for the holding of a Ward election and should be read in conjunction with the procedure for Wardmotes described in Section 6 "Wardmote and Polling Arrangements" (pages 367-613).

#### A WARDMOTE FOR THE ELECTION OF AN ALDERMAN

WARD OF [insert Ward]

#### AGENDA FOR WARDMOTE – ELECTION OF ALDERMAN

To be held at [insert venue] on [insert time and date]

1. **Procession**

Procession to enter the Wardmote will be as follows:

The Beadle	
City Marshal	
The Honorary Ward Clerk	The Comptroller and City Solicitor
Mace	Sword
The Right Honourable	The Lord Mayor

The Lord Mayor's Mace and Sword will be laid on the appropriate table. The Lord Mayor takes the Chair and the City Solicitor sits on ~~his~~-their right and the Honorary Ward Clerk on ~~his~~-their left.

2. **Proclamation**

The Ward Beadle, on the instruction of the Honorary Ward Clerk, opens the Wardmote by Proclamation: -

"Oyez, Oyez, Oyez

*All manner of persons who have anything to do at this Court of Wardmote for the Ward of [insert name of Ward] holden here this day before the Right Honourable The Lord Mayor Alderman [insert name] draw near and give your attendance.*

*God Save the Queen"*

3. **Precept**

The Ward Beadle calls on the Honorary Ward Clerk to read the Precept: -

*"All persons here present are commanded to keep silence whilst the Precept is read."*

The Honorary Ward Clerk reads the Precept

4. **Vote of thanks/condolence**

To the previous incumbent.

5. **Nominations**

The names of those persons remaining validly nominated are read out by the Honorary Ward Clerk, in the order appearing on the statement as to persons nominated.

6. **Address by the candidate(s)**

On the invitation of the Presiding Officer, in the same order as above.

7. **Questions to the candidate(s)**

The Presiding Officer invites electors to put questions to the candidate(s) if they wish.

*If there is only one candidate: -*

8. **Declaration of the result**

By the Presiding Officer, who declares the candidate elected as Alderman for the Ward.

9. **Address by the Candidate**

To return thanks.

10. **General Business**

Any general business of the Wardmote is dealt with.

11. **Public Notice of Election**

Resolution passed to give public notice of the name of the candidate elected.

12. **Vote of thanks**

To the Presiding Officer.

13. **Proclamation**

The Ward Beadle closes the Wardmote by Proclamation: -

"Oyez, Oyez, Oyez

*All ye good people of the Ward of [insert name of the Ward], summoned here to this Wardmote, may depart hence; and give your attendance when again summoned. And hereof fail not.*

*God Save the Queen."*

*If there is more than one candidate and a poll is to be held: -*

8. **Announcement of Poll**

By the Presiding Officer.

9. **Appointment of Officers for Poll**

By the Presiding Officer

10. **Declarations of secrecy**

Taken by all those authorised to attend the polling station and the count.

11. **Adjournment**

The Ward Beadle adjourns the Wardmote by Proclamation: -

"Oyez, Oyez, Oyez

*All ye good people of the Ward of [insert name of the Ward], summoned here to this Wardmote, may depart hence; and you are required to give your attendance again [either tomorrow morning or on the alternative date fixed for the poll] at [insert venue where the poll will be held]. And hereof fail not.*

*God Save the Queen."*

*At the closure or adjournment of the Wardmote the Mayoral party retires: -*

The Beadle  
City Marshal  
Mace      Sword  
The Right Honourable The Lord Mayor  
The Honorary Ward Clerk      The Comptroller and City Solicitor

*Agenda for an Adjourned Wardmote following the poll and count*

**WARD OF [insert Ward]**

**AGENDA FOR ADJOURNED WARDMOTE**

**To be held at [insert venue] on [insert time and date]**

1. **Procession**

Procession to enter the Wardmote will be as follows:

The Beadle  
City Marshal  
The Honorary Ward Clerk      The Comptroller and City Solicitor  
Mace      Sword  
The Right Honourable The Lord Mayor

The Lord Mayor's Mace and Sword will be laid on the appropriate table. The Lord Mayor takes the Chair and the City Solicitor sits on ~~his~~ their right and the Honorary Ward Clerk on ~~his~~ their left.

2. **Proclamation**

The Honorary Ward Clerk instructs the Ward Beadle to announce the reopening of the Wardmote as follows:

"Oyez, Oyez, Oyez

*All manner of persons who have anything to do at this Court of Wardmote for the Ward of [insert name of Ward] holden here this day before the Right Honourable The Lord Mayor Alderman [insert name] draw near and give your attendance.*

*God Save the Queen"*

3. **Declaration of the result**

By the Presiding Officer, who declares the successful candidate elected as Alderman for the Ward.

4. **Address**

To return thanks. Firstly by the successful candidate and then the others if they so wish in the order of votes cast.

5. **General Business**

Any general business of the Wardmote is dealt with.

6. **Public Notice of Election**

Resolution passed to give public notice of the name of the candidate elected.

7. **Vote of thanks**

To the Presiding Officer.

8. **Proclamation**

The Ward Beadle closes the Wardmote by Proclamation: -

*"Oyez, Oyez, Oyez*

*All ye good people of the Ward of [insert name of the Ward], summoned here to this Wardmote, may depart hence; and give your attendance when again summoned. And hereof fail not.*

*God Save the Queen."*

The Mayoral party retires: -

The Beadle  
City Marshal  
Mace      Sword  
The Right Honourable The Lord Mayor  
The Honorary Ward Clerk      The Comptroller and City Solicitor



**B WARDMOTE FOR THE ELECTION OF COMMON COUNCILMAN  
OR COUNCILMEN**

**WARD OF [insert Ward]**

**AGENDA FOR WARDMOTE**

**To be held at [insert venue] on [insert time and date]**

1. **Procession**

Procession to enter the Wardmote will be as follows:

The Beadle  
The Honorary Ward Clerk  
The Alderman

The Alderman will take ~~his~~ their place.

2. **Proclamation**

The Ward Beadle, on the instruction of the Honorary Ward Clerk, opens the Wardmote by Proclamation: -

"Oyez, Oyez, Oyez

*All manner of persons who have anything to do at this Court of Wardmote for the Ward of [insert name of Ward] holden here this day before Alderman [insert name], Alderman of this Ward, draw near and give your attendance.*

*God Save the Queen"*

3. **Precept**

The Ward Beadle calls on the Honorary Ward Clerk to read the Precept: -

*"All persons here present are commanded to keep silence whilst the Precept is read"*

The Honorary Ward Clerk reads the Precept.

4. **Vote of thanks/condolence**

To the previous incumbent (at a by-election only).

5. **Nominations**

The names of the persons remaining validly nominated are read out by the Honorary Ward Clerk, in the order appearing on the statement as to persons nominated.

6. **Address by the candidate(s)**

On the invitation of the Presiding Officer, in the same order as above.

7. **Questions to the candidate(s)**

The Presiding Officer invites electors to put questions to the candidate(s) if they wish.

***If the number of candidates nominated does not exceed the vacancies to be filled: -***

8. **Declaration of the result**  
By the Presiding Officer, who declares the candidate/candidates elected as Common Councilman/Councilmen.
9. **Address by the successful candidate(s)**  
To return thanks.
10. **Declarations of office**  
The person(s) elected make and subscribe the declarations of office before the Alderman.
11. **Return to Precept**  
Signed by the Presiding Officer and the Ward Clerk or by either one of them together with either two voters present at the Wardmote or the Honorary Ward Clerk.
12. **General Business**  
Any general business of the Wardmote is dealt with.
13. **Public Notice of Election**  
Resolution passed to give public notice of the candidate(s) elected.
14. **Vote of thanks**  
To the Presiding Officer who returns thanks.
15. **Proclamation**  
The Ward Beadle closes the Wardmote by Proclamation: -

"Oyez, Oyez, Oyez

*All ye good people of the Ward of [insert name of the Ward], summoned here to this Wardmote, may depart hence; and give your attendance when again summoned. And hereof fail not.*

*God Save the Queen."*

***If the number of candidates nominated exceeds the vacancies to be filled and a poll is to be held: -***

8. **Announcement of Poll**  
By the Presiding Officer.
9. **Appointment of Officers for Poll**  
By the Presiding Officer.
10. **Declarations of secrecy**  
Taken by all those authorised to attend the polling station and the count.
11. **Adjournment**  
The Ward Beadle adjourns the Wardmote by Proclamation: -

"Oyez, Oyez, Oyez

*All ye good people of the Ward of [insert name of the Ward], summoned here to this Wardmote, may depart hence; and you are required to give your attendance again [either tomorrow morning or on the alternative date fixed for the poll] at [insert venue where the poll will be held]. And hereof fail not.*

*God Save the Queen."*

*If the Wardmote is for the ordinary election of Common Councilmen<sup>1</sup> item 4 (Vote of thanks/condolence) should be omitted and the following items should be added into the agenda, and the agenda renumbered accordingly: -*

*If the number of candidates nominated does not exceed the vacancies to be filled, after item 10 (Declarations of Office) add: -*

(a) **Appointment of Deputy**

The Alderman appoints the Deputy from amongst the Common Councilmen for the Ward.

(b) **Appointment of Honorary Ward Clerk**

The Alderman appoints the Honorary Ward Clerk.

(c) **Election of Ward Beadle**

The Alderman nominates one or more persons to be elected as Ward Beadle by the voters<sup>2</sup> in attendance at the Wardmote.

*If the number of candidates nominated exceeds the vacancies to be filled and a poll is to be held, after item 8 (Announcement of Poll) add: -*

(a) **Appointment of Honorary Ward Clerk**

The Alderman appoints the Honorary Ward Clerk.

(b) **Election of Ward Beadle**

The Alderman nominates one or more persons to be elected as Ward Beadle by the voters in attendance at the Wardmote.

*At the closure or adjournment of the Wardmote the Alderman's party retires: -*

The Beadle  
The Honorary Ward Clerk  
The Alderman

<sup>1</sup> Held in March in every fourth year from 2013 and exceptionally in 2022.

<sup>2</sup> The voters eligible to vote in the election of Ward Beadle are those entitled to vote in the election of an Alderman.

*Agenda for an Adjourned Wardmote following the poll and count*

WARD OF [insert Ward]

**AGENDA FOR ADJOURNED WARDMOTE**

To be held at [insert venue] on [insert time and date]

1. **Procession**

Procession to enter the Wardmote will be as follows:

The Beadle  
The Honorary Ward Clerk  
The Alderman

The Alderman will take ~~his~~ their place.

2. **Proclamation**

The Honorary Ward Clerk instructs the Ward Beadle to announce the reopening of the Wardmote as follows:

"Oyez, Oyez, Oyez

*All manner of persons who have anything to do at this Court of Wardmote for the Ward of [insert name of Ward] holden here this day before Alderman [insert name], Alderman of this Ward, draw near and give your attendance.*

*God Save the Queen"*

3. **Declaration of the result**

By the Presiding Officer, who declares the successful candidate/candidates elected as Common Councilman/Councilmen.

4. **Address**

To return thanks. Firstly by the successful candidate(s) and then the others if they so wish in the order of votes cast.

5. **Declarations of office**

The person(s) elected make and subscribe the declarations of office before the Alderman.

6. **Return to Precept**

Signed by the Presiding Officer and the Ward Clerk or by either one of them together with either two voters present at the Adjourned Wardmote or the Honorary Ward Clerk.

7. **General Business**

Any general business of the Wardmote is dealt with.

8. **Public Notice of Election**

Resolution passed to give public notice of the candidate(s) elected.

9. **Vote of thanks**

To the Presiding Officer who returns thanks.

10. **Proclamation**

The Ward Beadle closes the Wardmote by Proclamation: -

"Oyez, Oyez, Oyez

*All ye good people of the Ward of [insert name of the Ward], summoned here to this Wardmote, may depart hence; and give your attendance when again summoned. And hereof fail not.*

*God Save the Queen."*

***If the Wardmote is for the ordinary election of Common Councilmen<sup>3</sup> the following items should be added into the agenda, and the agenda renumbered accordingly: -***

***After Item 5 (Declarations of office):***

**Appointment of Deputy**

*The Alderman appoints the Deputy from amongst the Common Councilmen for the Ward.*

***At the closure of the Adjourned Wardmote the Alderman's party retires: -***

The Beadle  
The Honorary Ward Clerk  
The Alderman

---

<sup>3</sup> Held in March in every fourth year from 2013 [and exceptionally in 2022](#).

## APPENDIX 5

### **ENVELOPES CONTAINING ELECTION MATERIALS**

1. Envelopes, or packages, containing materials used in the election must be prepared at various stages during a Ward election. This Appendix provides instruction on the various envelopes that must be prepared and at what stage in the process.
2. As soon as practicable after the issue of each batch of postal ballot papers, the Town Clerk must prepare and seal in an envelope the counterfoils of the issued postal ballot papers<sup>1</sup>.
3. As soon as practicable after the last covering envelope has been opened, the Town Clerk must prepare and seal in an envelope the marked copy of the postal voters list and proxy postal voters list<sup>2</sup>.
4. At the close of poll, the presiding officer at the polling station must prepare and seal separate envelopes containing<sup>3</sup>: -
  - (a) the unused and spoilt ballot papers and the unused and spoilt tendered ballot papers;
  - (b) the used tendered ballot papers;
  - (c) the marked copies of the Ward list and the list of proxies;
  - (d) the counterfoils of the used ballot papers;
  - (e) the tendered votes list, statement of number of voters assisted by the presiding officer, the list of voters with disabilities assisted by companions and declarations made by companions; and
  - (f) the appointments of the presiding officer and poll clerks on the day of the poll.

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<sup>1</sup> Regulation 75 of the Representation of the People (England and Wales) Regulations 2001 modified as necessary i.e. with “counterfoils” substituted for “completed corresponding number lists”.

<sup>2</sup> Regulation 84(9) of the Representation of the People (England and Wales) Regulations 2001.

<sup>3</sup> Rule 29 of the Ballot Act 1872 for sub-paragraphs (a) to (d).

5. The presiding officer must also seal in a separate envelope a ballot paper account setting out the numbers of the ballot papers provided to the presiding officer and the number issued, including any spoilt ballot papers<sup>4</sup>. This envelope is opened at the count and the ballot paper account is used to verify the number of ballot papers contained in the ballot box<sup>5</sup>.
6. After the opening of postal ballot papers, the Town Clerk must prepare and seal separate envelopes for<sup>6</sup>: -
  - (a) the rejected votes;
  - (b) the rejected ballot paper envelopes;
  - (c) the lists of spoilt, lost or cancelled postal ballot papers;
  - (d) the rejected votes (verification procedure); and
  - (e) the postal voting statements (verification procedure).

Postal ballot papers can be delivered to the polling station (see Section 6: "Wardmote and Polling Arrangements", paragraph 28 at page 534) and if this is the case, the presiding officer at the polling station should prepare such of the above envelopes required to deal with the postal votes verified at the polling station.

7. At the completion of the count the presiding officer must prepare and seal separate envelopes containing<sup>7</sup>:
  - (a) the counted ballot papers; and
  - (b) the rejected ballot papers.

---

<sup>4</sup> Rule 30 of the Ballot Act 1872.

<sup>5</sup> Rule 37 of the Ballot Act 1872.

<sup>6</sup> Regulation 89 of the Representation of the People (England and Wales) Regulations 2001.

<sup>7</sup> Rule 37 of the Ballot Act 1872.

8. All of the sealed envelopes and packages must be forwarded to the Town Clerk for retention<sup>8</sup>. All of the documents are open to public inspection<sup>9</sup> with the exception of ballot papers and counterfoils – an Order of the Mayor's and City of London Court is required to break the seal of the envelopes containing these documents<sup>10</sup>. The Town Clerk retains the documents for one year following which they are destroyed<sup>11</sup>.
9. A completed statement in Form K of the number of postal ballot papers issued must be provided to the Secretary of State and the Electoral Commission within the period 10 to 15 days after the day of the poll<sup>12</sup>.

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<sup>8</sup> Paragraph 4 of the Schedule to the City of London Ballot Act 1887.

<sup>9</sup> Rule 42 of the Ballot Act 1872.

<sup>10</sup> [Rule 41 of the Ballot Act 1872 as amended by paragraph 4\(a\) of the Schedule to the City of London Ballot Act 1887.](#)

<sup>11</sup> Rule 39 of the Ballot Act 1872 refers to a one year retention period – but for municipal elections in the City this is subject to the directions of the Common Council – see paragraph 4(b) of the Schedule to the City of London Ballot Act 1887. A one year period mirrors Rule 54 of the Local Elections (Principal Areas) (England and Wales) Rules 2006 that applies to local government elections generally.

<sup>12</sup> Regulation 91(5) of the Representation of the People (England and Wales) Regulations 2001.



## APPENDIX 6

### LEGISLATIVE PROVISIONS

#### Local Acts of Parliament (most relevant – other Acts are mentioned in the text)

<u>Title</u>
<u>City of London Ballot Act 1887 (“the 1887 Act”)</u>
<u>City of London (Various Powers) Act 1957 (“the 1957 Act”)</u>
<u>City of London (Ward Elections) Act 2002</u>

#### Public General Acts of Parliament (most relevant – other Acts are mentioned in the text)

<u>Title</u>	<u>Relevant Provisions</u>	<u>Comments</u>
<u>Ballot Act 1872</u>  (Note:- This Act was repealed by section 175(5) of the <u>Representation of the People Act 1949</u> but not in so far as it was applied to Ward elections by virtue of the 1887 Act.)	<u>Those provisions relating to the powers and duties of a Returning Officer where a poll by ballot is required</u>	<u>Applied to Ward elections in the City by section 2 of the 1887 Act</u>
	<u>Those provisions relating to the taking of such a poll, in the same manner as a poll at a contested parliamentary election, including the duties of the Returning Officer after the close of the poll</u>	<u>Applied to Ward elections in the City, as far as circumstances admit and with express modifications, by section 3 of the 1887 Act</u>
<u>Representation of the People Act 1983 (“the 1983 Act”)</u>	<u>Sections 3, 3A, 6, 14(1), 15 to 17, 46 and 59 in Part I</u>	<u>Applied to Ward elections in the City by section 8(1) of the 1957 Act</u>
	<u>Sections 60, 61 and 62A in Part I</u> <u>The whole of Part II except sections 96 and 99</u> <u>The whole of Part III</u> <u>Sections 189, 193 to 198 in Part IV</u> <u>The whole of Part V</u> <u>Schedule 6</u>	<u>Applied to Ward elections in the City, with any necessary modifications, by section 191 of the 1983 Act*</u> <u>*Ward elections are treated as ‘local government elections’ and ‘elections under the local government Act’ for these purposes</u>

<a href="#">Representation of the People Act 2000 (“the 2000 Act”)</a>	<a href="#">Schedule 4</a>	<a href="#">Applied to Ward elections in the City, with any necessary modifications, by section 8(2) of the 1957 Act</a>
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### Statutory Instruments

<u>Title</u>	<u>Relevant Provisions</u>	<u>Comments</u>
<a href="#">Representation of the People (England and Wales) Regulations 2001</a>	<a href="#">Those regulations from time to time amending or replacing regulations 8 to 15 of the Representation of the People Regulations 1950</a>	<a href="#">Applied to Ward elections in the City, with any necessary modifications, by section 7(4) of the 1957 Act*</a>
	<a href="#">Those regulations from time to time amending or replacing regulations 22 and 70 of the Representation of the People Regulations 1950</a>	<a href="#">Applied to Ward elections in the City, with any necessary modifications, by section 7(8) of the 1957 Act*</a>
	<a href="#">Those regulations applicable for the purposes of the said provisions of the 1983 Act or the 2000 Act, as applied to Ward elections in the City by section 8(1) and (2) of the 1957 Act</a>	<a href="#">Applied to Ward elections in the City, with any necessary modifications, by section 8(4) of the 1957 Act*</a> <a href="#">*See also the definition of the “regulations of 1950” in section 4(1) of the 1957 Act</a>
<a href="#">Local Elections (Principal Areas) (England and Wales) Rules 2006</a>	<a href="#">Those rules applicable for the purposes of the said provisions of the 1983 Act or the 2000 Act, as applied to Ward elections in the City by section 8(1) and (2) of the 1957 Act</a>	<a href="#">Applied to Ward elections in the City, with any necessary modifications, by section 8(4) of the City of London (Various Powers) Act 1957*</a> <a href="#">* See also the definition of the “local elections rules” in section 4(1) of the 1957 Act</a>

# **PART B**

# **FORMS**

**PRECEPT – ALDERMAN**

**XXXX, MAYOR**

<b>CITY OF LONDON</b>	<b>}</b>	<b>To the Common Councilmen of the</b>
<b>to wit</b>	<b>}</b>	<b>Ward of XXXXXX in the City of London</b>

These are to require you to cause a Wardmote to be duly summoned and held before me, The Right Honourable The Lord Mayor of the said City in the Ward of [INSERT NAME OF WARD] in the said City on a day to be arranged in accordance with the provisions of Section 4 of the Act of Common Council of 14 July 1960 governing the election of Aldermen, Common Councilmen and Ward Beadles of the City of London (as substituted by Section 5 of an Act of Common Council of 16 May 2013) for the election of an able and sufficient Citizen and Freeman of the said City not being an Alderman and meeting the condition set out in Section 3(1) (Candidature for Office of Alderman) of an Act of Common Council of 10 September 1998 (as substituted by Section 2 of the said Act of Common Council of 16 May 2013) to be Alderman of the said Ward [EITHER: (a) in the room and stead of [INSERT NAME] who held such Office of Alderman but who [HAS SURRENDERED THE SAME/IS NOW DECEASED etc.]; OR (b) following the surrender of the Office of Alderman by [INSERT NAME] who is seeking re-election].

Herein fail not.

Given under my hand this [INSERT DATE] day of [INSERT MONTH/YEAR] at the Mansion House in the said City.

*Lord Mayor*

**PRECEPT FOR THE ORDINARY ELECTION OF THE  
WHOLE NUMBER OF COMMON COUNCILMEN**

**XXXXXXXXXX, MAYOR**

**TO THE ALDERMAN OF THE WARD OF XXXXXXXXXX**

1. You are required to hold a Wardmote on the **[insert date]** for the election of **[insert number]** duly qualified persons to represent your Ward on the Common Council of the City of London.
2. The persons so elected should make and subscribe a Declaration before you and in your presence in accordance with the provisions of the Promissory Oaths Act 1868, as set out in your Wardmote Book.
3. You must inform the Town Clerk on the Return to Precept of the names of the persons so elected and indicate which of those persons have made the Declaration at the Wardmote.
4. In the Wardmote, you must also hold an election for **[insert number]** other person(s) to be Ward Beadle(s).
5. You should keep the peace and good order during your Wardmote.
6. A copy of the Return to Precept should be submitted to the Grand Court of Wardmote next following the elections.
7. You must require this Precept to be read at your Wardmote.

**DATED THE [INSERT DATE] UNDER  
THE SEAL OF THE OFFICE OF MAYORALTY  
OF THE CITY OF LONDON**

**[INSERT NAME]  
TOWN CLERK**

**PRECEPT – COMMON COUNCILMAN**

**XXXX, MAYOR**

<b>CITY OF LONDON</b>	<b>}</b>	<b>To the Alderman of the Ward of XXXXX</b>
<b>to wit</b>	<b>}</b>	<b>in the City of London and to the Deputy of the same Ward</b>

These are to require you to cause a Wardmote to be summoned and held at some convenient place within your Ward on [INSERT DATE] for the election of a person duly qualified in accordance with the statutory provisions in that behalf for the time being in force, to be for your said Ward of the Common Council of this City for the remainder of the current term in the room and stead of [INSERT NAME] who held such office of Common Councilman but who is now [DECEASED etc.].

And that you do cause the said person so elected to make and subscribe a Declaration before you and in your presence in accordance with the provisions of the Promissory Oaths Act 1868 the tenor of which Declaration is in your Wardmote Book.

And that you do make a Return to the Town Clerk of this City of the name of the person elected to be of the Common Council; such Return to be signed and delivered at the time and in the form and manner prescribed by Acts of Common Council and certifying if such elected Common Councilman has not made the said Declaration at your Wardmote.

You are hereby enjoined to cause this Precept to be read at your Wardmote.

Herein fail not.

Given under my hand this [INSERT DATE] day of [INSERT MONTH/YEAR] at the Mansion House in the said City.

*Lord Mayor*

**NOTICE OF WARD ELECTION  
CITY OF LONDON WARD OF [WARD]  
ELECTION OF ALDERMAN**

To the Electors of the Ward of [WARD]

1. NOTICE IS HEREBY GIVEN that by virtue of a Precept from the Right Honourable The Lord Mayor, a Wardmote will be held on [DATE], at [TIME] at [PLACE OF WARDMOTE] to elect an Alderman following the [EITHER: (a) death/disqualification of the holder of the Office of Alderman for the Ward, [INSERT NAME]; OR (b) surrender of the Office of Alderman for the Ward by [INSERT NAME]; OR (c) surrender of the Office of Alderman for the Ward by [INSERT NAME], who is seeking re-election].
2. Nomination papers can be obtained from the Ward Clerk, Electoral Services Office, 2<sup>nd</sup> Floor West Wing, Guildhall, London, EC2P 2EJ between 9.15am and 5.00pm, Monday to Friday. Completed nomination papers must be received in the Electoral Services Office by noon on [INSERT LAST DATE FOR RECEIPT OF NOMINATIONS].
3. Applications –
  - for a new postal vote;
  - to change an existing postal vote to a proxy vote;
  - to cancel a postal vote;
  - to change a ballot paper address; or
  - to cancel or change the appointment of proxiesmust be received in the Electoral Services Office by 5.00pm on [INSERT DATE: 11<sup>th</sup> day before the date of the poll].
4. New applications for proxy votes must be received in the Electoral Services Office by 5.00pm on [INSERT DATE: 6<sup>th</sup> day before the date of the poll]. If after 5.00pm on [INSERT DATE: 6<sup>th</sup> day before the date of the poll] you are unable to vote in person because you:
  - have a medical emergency; or
  - learn you cannot go to the polling station because of work/service reasonsyou can apply to vote by emergency proxy. Completed applications, suitably witnessed, must be made before 5.00pm on polling day, [INSERT DATE].
5. If the election is contested, a poll will take place at [PLACE OF POLL] on [DATE OF POLL] between the hours of 8.00 am and 8.00 pm. After the votes have been counted, the Wardmote will resume at [PLACE FOR ADJOURNED WARDMOTE] and the result of the poll will be declared. Notice of such poll will be published on the Ward Notice Board at the [LOCATION OF WARD NOTICE BOARD].

Dated this [DATE OF NOTICE OF ELECTION]

[Insert Name]  
Ward Clerk

---

**Note 1.** The attention of candidates and electors is drawn to the provisions relating to the completion of nomination papers, the times and place for delivery thereof and the other provisions relating thereto contained in Acts of Common Council –further information can be obtained from Electoral Services. **Note 2.** Every person guilty of a corrupt or illegal practice will, on conviction, be liable to the penalties imposed by the Representation of the People Act 1983. **Note 3.** Qualifications of candidates for the office of Alderman. A candidate for the office of Alderman must not be disqualified by virtue of any enactment and must be aged 18 or over, a [British subject](#) [Commonwealth citizen](#) or a citizen of the Republic of Ireland, an able and sufficient citizen and freeman of the City, not already an Alderman and at the date of nomination and at the date of election must either (a) be a justice of the peace or (b) not be the subject of a debt relief restrictions order, an interim debt relief restrictions order, a bankruptcy restrictions order, a bankruptcy restrictions interim order or a debt relief restrictions undertaking, and not have been convicted in the United Kingdom, the Channel Islands or the Isle of Man, of any imprisonable offence (whether or not sentenced to a term of imprisonment in respect of the offence).

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**NOTICE OF WARD ELECTION  
CITY OF LONDON WARD OF [WARD]  
ELECTION OF COMMON COUNCILMAN/MEN**

To the Electors of the Ward of [WARD]

1. NOTICE IS HEREBY GIVEN that by virtue of a Precept from the Right Honourable The Lord Mayor, a Wardmote will be held on [DATE], at [TIME] at [PLACE OF WARDMOTE] to elect [EITHER (a) one Common Councilman following the [DEATH/SURRENDER OF OFFICE etc] of [INSERT NAME]; OR (b) [INSERT NUMBER] Common Councilmen on the four yearly ordinary election to that Office and [INSERT NUMBER] Ward Beadles].
2. Nomination papers can be obtained from the Ward Clerk, Electoral Services Office, 2<sup>nd</sup> Floor West Wing, Guildhall, London, EC2P 2EJ between 9.15am and 5.00pm, Monday to Friday. Completed nomination papers must be received in the Electoral Services Office by noon on [INSERT LAST DATE FOR RECEIPT OF NOMINATIONS].
3. Applications –
  - for a new postal vote;
  - to change an existing postal vote to a proxy vote;
  - to cancel a postal vote;
  - to change a ballot paper address; or
  - to cancel or change the appointment of proxiesmust be received in the Electoral Services Office by 5.00pm on [INSERT DATE: 11<sup>th</sup> day before the date of the poll].
4. New applications for proxy votes must be received in the Electoral Services Office by 5.00pm on [INSERT DATE: 6<sup>th</sup> day before the date of the poll]. If after 5.00pm on [INSERT DATE: 6<sup>th</sup> day before the date of the poll] you are unable to vote in person because you:
  - have a medical emergency; or
  - learn you cannot go to the polling station because of work/service reasonsyou can apply to vote by emergency proxy. Completed applications, suitably witnessed, must be made before 5.00pm on polling day, [INSERT DATE].
5. If the election is contested, a poll will take place at [PLACE OF POLL] on [DATE OF POLL] between the hours of 8.00 am and 8.00 pm. After the votes have been counted, the Wardmote will resume at [PLACE FOR ADJOURNED WARDMOTE] and the result of the poll will be declared. Notice of such poll will be published on the Ward Notice Board at the [LOCATION OF WARD NOTICE BOARD].

Dated this [DATE OF NOTICE OF ELECTION]

[Insert Name]  
Ward Clerk

---

**NOTE 1.** The attention of candidates and electors is drawn to the provisions relating to the completion of nomination papers, the times and place for delivery thereof and the other provisions relating thereto contained in Acts of Common Council – further information can be obtained from Electoral Services. **NOTE 2.** Every person guilty of a corrupt or illegal practice will, on conviction, be liable to the penalties imposed by the Representation of the People Act 1983. **NOTE 3.** Qualifications of candidates for the office of Common Councilman. A person shall unless disqualified by virtue of any enactment be qualified for election to the Common Council as a Common Councilman if at the date of nomination and at the date of election he is a Freeman of the City and is aged 18 or over and a British subject, or a citizen of the Republic of Ireland, or otherwise a citizen of the Union under the Treaty establishing the European Community as amended, and (a) is registered in the list of persons entitled to vote at any Ward election; OR (b) owns freehold or leasehold land in the City (*If the land is transferred, conveyed or leased (as appropriate) to more than four persons, the maximum number of owners who can qualify under this provision is limited to the first four named in the transfer, conveyance or lease*); OR (c) has during the whole of the twelve months preceding the date of the nomination, and has until the date of election, resided in the City. (City of London (Various Powers) Act 1957 (as amended)).

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**NOMINATION PAPER****CITY OF LONDON — WARD OF [WARD]**

Election of Alderman for the Ward of [WARD] at a Wardmote to be held on [DATE OF WARDMOTE].

We, the undersigned, being persons whose names are on the ward list for elections in the said Ward **DO HEREBY NOMINATE** the undermentioned person as a candidate at the said election.

<b>Surname</b>	
<b>Other names in full</b>	
<b>Home address in full</b>	
<b>Description</b> (Not more than six words)	
<b>Date of Freedom of the City</b> (Day/Month/Year)	

	Signature	Full name (in CAPITALS)	Electoral number on Ward List (including Ward Letter)
Proposer			
Seconder			
Subscriber 3			
Subscriber 4			
Subscriber 5			

Dated this \_\_\_\_\_ day of \_\_\_\_\_ [YEAR]

**Note 1:** The attention of candidates and electors is drawn to the provisions relating to the completion of nomination papers, the times and place for delivery thereof and the other provisions relating thereto contained in Acts of Common Council – further information can be obtained from Electoral Services.

**Note 2:** A person may not subscribe –  
 (a) more nomination papers than there are vacancies to be filled in the Ward;  
 (b) more than one nomination paper in respect of the same candidate; or  
 (c) a nomination paper unless on the day fixed for the holding of the ward election he will have attained the age of 18 years or over.

**Note 3:** **Qualifications of candidates for the office of Alderman.** A candidate for the office of Alderman must not be disqualified by virtue of any enactment and must be aged 18 or over, a ~~British subject~~ Commonwealth citizen or a citizen of the Republic of Ireland, an able and sufficient citizen and freeman of the City, not already an Alderman and at the date of nomination and at the date of election must either (a) be a justice of the peace or (b) not be the subject of a debt relief restrictions order, an interim debt relief restrictions order, a bankruptcy restrictions order, a bankruptcy restrictions interim order or a debt relief restrictions undertaking, and not have been convicted in the United Kingdom, the Channel Islands or

ISSUE DATE: ~~13 JUNE 2014~~ 27 AUGUST 2021

the Isle of Man, of any imprisonable offence (whether or not sentenced to a term of imprisonment in respect of the offence).

**NOMINATION PAPER**  
**CITY OF LONDON — WARD OF [WARD]**

Election of Common Councilman for the Ward of [WARD] at a Wardmote to be held on [DATE OF WARDMOTE].

We, the undersigned, being persons whose names are on the ward list for elections in the said Ward **DO HEREBY NOMINATE** the undermentioned person as a candidate at the said election.

<b>Surname</b>	
<b>Other names in full</b>	
<b>Home address in full</b>	
<b>Description</b> (Not more than six words)	
<b>Date of Freedom of the City</b> (Day/Month/Year)	

	Signature	Full name (in CAPITALS)	Electoral number on Ward List (including Ward Letter)
Proposer			
Seconder			
Subscriber 3			
Subscriber 4			
Subscriber 5			

Dated this \_\_\_\_\_ day of \_\_\_\_\_ [YEAR]

**Note 1:** The attention of candidates and electors is drawn to the provisions relating to the completion of nomination papers, the times and place for delivery thereof and the other provisions relating thereto contained in Acts of Common Council – further information can be obtained from Electoral Services.

**Note 2:** **A person may not subscribe –**  
(c) more nomination papers than there are vacancies to be filled in the Ward;  
(d) more than one nomination paper in respect of the same candidate; or  
(c) a nomination paper unless on the day fixed for the holding of the ward election he will have attained the age of 18 years or over

**Note 3:** **Qualifications of candidates for the office of Common Councilman.** A person shall unless disqualified by virtue of any enactment be qualified for election to the Common Council as a Common Councilman if at the date of nomination and at the date of election he is a Freeman of the City, is aged 18 or over and a British subject, or a citizen of the Republic of Ireland, or otherwise a citizen of the Union under the Treaty establishing the European Community as amended, and (a) is registered in the list of persons entitled to vote at any Ward election; OR (b) owns freehold or leasehold land in the City (***if the land is transferred, conveyed or leased (as appropriate) to more than four persons, the maximum number of owners who can qualify under this provision is limited to the first four named in the transfer, conveyance or***

ISSUE DATE: ~~13 JUNE 2014~~ 27 AUGUST 2021

~~lease~~); OR (c) has during the whole of the twelve months preceding the date of nomination, and has until the date of election, resided in the City. (City of London (Various Powers) Act 1957 (as amended)).

**CANDIDATE'S CONSENT TO NOMINATION**  
**(Alderman)**

(To be given on or within one month before the last day, and delivered at the place and within the time appointed, for the delivery of nomination papers.)

I (*full name*) .....

of (*home address*).....

.....

hereby consent to my nomination as a candidate for the office of Alderman for the Ward of

.....

I am qualified as required by law to be elected to and hold the said office. Particulars of my qualification are as follows:-

I am aged 18 or over, a ~~British subject~~ Commonwealth citizen or a citizen of the Republic of Ireland, a Freeman of the City of London, an able and sufficient ~~C~~itizen of the City of London AND

\* (a) I am a justice of the peace; OR

\* (b) I am not the subject of a debt relief restrictions order, an interim debt relief restrictions order, a bankruptcy restrictions order, a bankruptcy restrictions interim order or a debt relief restrictions undertaking, and I have not been convicted in the United Kingdom, the Channel Islands or the Isle of Man, of any imprisonable offence (whether or not sentenced to a term of imprisonment in respect of the offence).

\* *Delete where inapplicable*

Candidate's signature .....

Signed in the presence of:-

Witness's signature .....

Witness's full name .....

Witness's home address .....

.....

.....

Date .....

**CANDIDATE'S CONSENT TO NOMINATION  
(Common Councilman)**

(To be given on or within one month before the last day, and delivered at the place and within the time appointed, for the delivery of nomination papers.)

I (*full name*).....

of (*home address*).....

hereby consent to my nomination as a candidate for the office of Common Councilman for the Ward of

I am qualified as required by law to be elected to and hold the said office. Particulars of my qualification are as follows:-

I am aged 18 or over, a British subject or a ~~€~~citizen of the Republic of Ireland or otherwise a citizen of the Union under the Treaty establishing the European Community as amended, a Freeman of the City of London AND

\* (a) I am registered in the list of persons entitled to vote at any Ward election at the following address:

..... ;OR

\* (b) I own freehold or leasehold land in the City at the following address:  
***(If the land is transferred, conveyed or leased (as appropriate) to more than four persons, the maximum number of owners who can qualify under this provision is limited to the first four named in the transfer, conveyance or lease)***

.....; OR

\* (c) I have resided in the City during the whole of the twelve months preceding the date of nomination, and it is my intention to so reside until the date of election at the following address:

.....

*\* Delete where inapplicable*

Candidate's signature .....

Signed in the presence of:-

Witness's signature .....

Witness's full name .....

Witness's home address .....

Date .....

# STATEMENT AS TO PERSONS NOMINATED

**CITY OF LONDON**

**WARD OF [WARD]**

**ELECTION OF ALDERMAN**

The following is a statement as to the persons nominated for election as **ALDERMAN** for the Ward of **[WARD]**

Surname 1	Other names in full 2	Place of residence 3	Description 4	Names of Proposer and Seconder 5	Decision of the Ward Clerk that nomination paper is invalid or other reason why a person nominated no longer stands nominated 6
[SURNAME]	[OTHER NAMES]	[ADDRESS AS ON NOMINATION PAPER]	[DESCRIPTION AS ON NOMINATION PAPER]	[FULL NAMES OF PROPOSER AND SECONDER AS ON NOMINATION PAPER]	

Page 134

The person opposite whose name no entry is made in column 6 has been and stands validly nominated.

Dated this [DATE OF PUBLICATION]

[Insert Name]  
Ward Clerk

**STATEMENT AS TO PERSONS NOMINATED**

**CITY OF LONDON**

**WARD OF [WARD]**

**ELECTION OF COMMON COUNCILMAN**

The following is a statement as to the persons nominated for election as **COMMON COUNCILMAN** for the Ward of **[WARD]**

Surname 1	Other names in full 2	Place of residence 3	Description 4	Names of Proposer and Seconder 5	Decision of the Ward Clerk that Nomination Paper is invalid or other reason why a person nominated no longer stands nominated 6
[SURNAME]	[OTHER NAMES]	[ADDRESS AS ON NOMINATION PAPER]	[DESCRIPTION AS ON NOMINATION PAPER]	[FULL NAMES OF PROPOSER AND SECONDER AS ON NOMINATION PAPER]	

The persons opposite whose names no entry is made in column 6 have been and stand validly nominated.

Dated this [DATE OF PUBLICATION]

[Insert Name]  
Ward Clerk

ISSUE DATE: ~~13 JUNE 2014~~ 27 AUGUST 2021

**NOTICE OF WITHDRAWAL OF CANDIDATURE**

**CITY OF LONDON, WARD OF** \_\_\_\_\_

**DATE OF ELECTION** \_\_\_\_\_

I, \_\_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_

hereby give notice that I withdraw my name as a candidate for the office of

\*Alderman/Common Councilman at the above election.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20[XX].

Signature of candidate \_\_\_\_\_

**Address** \_\_\_\_\_

\_\_\_\_\_

Signature of witness \_\_\_\_\_

**Address** \_\_\_\_\_

\_\_\_\_\_

To the Ward Clerk of the Ward of \_\_\_\_\_

*\* Delete where inapplicable*



## NOTICE OF POLL

CITY OF LONDON

WARD OF [WARD]

ELECTION OF A [COMMON COUNCILMAN/ALDERMAN]

To the electors for the Ward of [WARD]

Notice is hereby given that: -

1. A Poll for the above election will be held on [DATE]

between the hours of **8 A.M.** and **8 P.M.**

2. The particulars of each candidate remaining validly nominated and the names of the persons signing as proposer, seconder and subscribers to a candidate's nomination paper are as follows:-

Surname 1	Other names in full 2	Place of residence 3	Description 4	Names of Proposer, Seconder and Subscribers 5
[SURNAME]	[OTHER NAMES]	[ADDRESS AS ON NOMINATION PAPER]	[DESCRIPTION AS ON NOMINATION PAPER]	[PROPOSER, SECONDER AND SUBSCRIBERS AS ON NOMINATION PAPER]

3. The Situation of the polling station is as follows:- [ADDRESS OF POLLING STATION]

+ The names and other particulars of the candidates and the order of the names of the candidates should be as in the statement as to persons nominated

[Insert Name]  
Ward Clerk

## APPOINTMENT OF ELECTION AGENT

### REPRESENTATION OF THE PEOPLE ACT 1983

ELECTION IN THE WARD OF .....

Date of Election.....

Name of Candidate.....

Name of Election Agent.....

Address of Election Agent.....

Office address of Election Agent to which all claims, notices, legal process and other documents are to be delivered (this address must be within the City, or within the Parliamentary constituency in which the City is comprised, or in a London borough adjoining the City)

.....

.....

Signed by, or on behalf of the Candidate .....

Date.....

**Note:** Notification of the appointment of the Election Agent must be delivered to the Town Clerk by not later than the latest time for the delivery of notices of withdrawal from this election.

A candidate may name himself/herself/themselves as election agent or, if a candidate fails to declare in writing the name of his/her/their agent, the candidate is deemed to have named himself/herself/themselves as election agent.

This appointment must be accompanied by a written and signed declaration of acceptance by the election agent.

**APPOINTMENT OF ELECTION AGENT  
DECLARATION OF ACCEPTANCE OF OFFICE  
REPRESENTATION OF THE PEOPLE ACT 1983**

ELECTION IN THE WARD OF .....

Date of Election.....

Name of Candidate.....

I .....

confirm that I have accepted the office of Election Agent in respect of  
the above candidate for this election

Signed.....

Dated.....

NOTICE OF ELECTION AGENTS

CITY OF LONDON

WARD OF [WARD]

ELECTION OF [COMMON COUNCILMAN/ALDERMAN]

NAMES AND ADDRESSES OF ELECTION AGENTS PUBLISHED IN PURSUANCE OF SECTIONS 67, 69 AND 70 OF THE REPRESENTATION OF THE PEOPLE ACT 1983.

CANDIDATE	NAME OF ELECTION AGENT	ADDRESS OF ELECTION AGENT	OFFICE ADDRESS OF ELECTION AGENT TO WHICH ALL NOTICES, ETC. MAY BE SENT
[SURNAME, Other names]	[SURNAME, Other name]	[AS ON ELECTION AGENT FORM]	[ADDRESS IN CITY, CONSTITUENCY OR ADJOINING LONDON BOROUGH]

Guildhall  
London  
EC2

[Insert Name]  
Town Clerk  
[DATE OF PUBLICATION]

CITY OF LONDON MUNICIPAL ELECTION

[DATE]

ELECTION OF A [COMMON COUNCILMAN/ALDERMAN]

IN THE CITY OF LONDON

Statutory Declaration of Secrecy

I SOLEMNLY PROMISE AND DECLARE that I will not at this election for [a Common Councilman / an Alderman] do anything forbidden by Section 4 of the Ballot Act 1872 which has been read to me.

(Signed) ..... (Print name) .....

Taken before me this ..... day of ..... 20 .....

(Signed) .....

Returning Officer / Justice of the Peace (delete as applicable)

NOTE: Section 4 of the Ballot Act 1872, as amended by the Blind Voters Act 1933 and the Representation of the People Act 1949, must be read to the declarant by the person taking the declaration and is as follows:-

Every officer, clerk and agent in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station, and shall not communicate, except for some purpose authorised by law, before the poll is closed to any person any information as to the name or number on the register of voters of any elector or proxy for a voter who has or has not applied for a ballot paper or voted at that station, or as to the official mark, and no such officer, clerk or agent, and no person whosoever, shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station as to the candidate for whom any voter in such station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at such station. Every officer, clerk, and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting the number on the back of any ballot paper, or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall directly or indirectly induce any voter to display his ballot paper after he shall have marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

No person having undertaken to assist a blind voter to vote, shall communicate to any other person any information as to the candidate for whom that voter intends his vote to be given or for whom his vote has been given, or as to the number on the back of the ballot paper issued at a polling station for the use of that voter.

Every person who acts in contravention of the provisions of this Section shall be liable, on summary conviction before two justices of the peace, to imprisonment for any term not exceeding six months.

## DIRECTIONS FOR THE GUIDANCE OF THE VOTER IN VOTING

*Form of Directions for the Guidance of the Voter in voting, which shall be printed in conspicuous Characters, and placarded outside every Polling Station and in every Compartment of every Polling Station.*

The voter may vote for      candidate.

The voter will go into one of the compartments, and, with the pencil provided in the compartment, place a cross on the right-hand side, opposite the name of each candidate for whom he votes, thus **X**

The voter will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the presiding officer, and then, in the presence of the presiding officer, put the paper into the ballot box, and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper, he can return it to the officer, who will, if satisfied of such inadvertence, give him another paper.

---

If the voter votes for more than      candidate, or places any mark on the paper by which he may be afterwards identified, his ballot paper will be void, and will not be counted.

If the voter takes a ballot paper out of the polling station, or deposits in the ballot box any other paper than the one given him by the officer, he will be guilty of an offence, and be subject to imprisonment for any term not exceeding six months.

*Note* – These directions shall be illustrated by examples of the ballot paper.

---

FORM OF BALLOT PAPER

Form of front of ballot paper

VOTE FOR NO MORE THAN.....CANDIDATE(S)

Counterfoil No.  <i>Note:- The counterfoil is to have a number to correspond with that on the back of the Ballot Paper</i>	1	BROWN JOHN EDWARD Brown 43 Templars Crescent, London N3 3QR Independent	
	2	BROWN THOMAS WILLIAM Brown 21 Bishops Road, London SW6 7AA	
	3	JONES William David Jones 6 Welland Mews, London E1W 2JW Independent	
	4	SMITH Mary Smith Merlewood, Woodham Road, Woking GU21 4DR	

Form of back of ballot paper

No.

Election of [Alderman / Common Councilman] for the Ward of [Ward] in the City of London to be held on [Date].

*Note:- The number on the Ballot Paper is to correspond with that on the counterfoil.*

## RETURN TO PRECEPT

**WARD OF [INSERT NAME OF WARD]** At a Wardmote held on [INSERT DAY AND DATE] at [INSERT LOCATION OF WARDMOTE] before The Right Honourable The Lord Mayor Alderman [INSERT NAME] for the purposes of electing an able and sufficient citizen to be Alderman of the said Ward [*EITHER*: (a) in place of [INSERT NAME], the late Alderman of the said Ward, [DECEASED/WHO HAD SURRENDERED THE SAID OFFICE]; *OR* (b) following the surrender of the said Office by [INSERT NAME], who intended to seek re-election to the same].

The candidates validly nominated for the said Office were: -

1. [LIST NAMES AND DESCRIPTION OF CANDIDATES]

As the number of candidates exceeded the number of vacancies, The Lord Mayor directed that a poll be held at [INSERT LOCATION OF POLLING STATION(S)] on the [INSERT DATE OF POLL] from 8:00 a.m. until 8:00 p.m. and adjourned the Wardmote.

The poll was duly held, and following the counting of votes the Lord Mayor resumed the Wardmote and declared the number of votes cast in the poll for each candidate to be as follows: -

[INSERT NAME OF CANDIDATE] [INSERT NUMBER OF VOTES] etc.

**WHEREUPON** The Lord Mayor declared [INSERT NAME OF CANDIDATE] TO BE DULY [ELECTED/RE-ELECTED] AS Alderman of the Ward of [INSERT NAME OF WARD] and then dissolved the Wardmote.

**ALL OF WHICH** I humbly certify to this Honourable Court.

Dated this                      day of                      20

.....  
[Insert Name]  
Comptroller and City Solicitor  
Attorney in Waiting



**RETURN TO PRECEPT**

CITY OF LONDON

WARD OF [WARD]

ELECTION OF COMMON COUNCILMAN.

In accordance with the provisions of an Act of Common Council made and passed on the 10<sup>th</sup> day of December 1857, and a precept issued by the Right Honourable the Lord Mayor dated [DATE OF PRECEPT] WE HEREBY CERTIFY that at a Wardmote held at [ADDRESS OF WARDMOTE] on [DATE OF WARDMOTE] in and for the said ward at which Alderman [NAME OF ALDERMAN PRESIDING] presided, the following person was elected to be Common Councilman for the said ward for the ensuing term.

Surname	Other names in full	Place of residence	Date of Freedom of the City and Livery Company (if any).	Description	State whether or not Declaration has been made and subscribed
SURNAME	[OTHER NAMES]	[ADDRESS AS ON NOMINATION PAPERS]	[DATE OF FREEDOM OF CITY AND LIVERY COMPANY]	[DESCRIPTION AS ON NOMINATION PAPERS]	

Page 145

Voter Name:

Voter Signature:

Voter Name:

Voter Signature:

Dated this                      day of

Presiding Officer

Ward Clerk

N.B. In the absence of either the Presiding Officer or Ward Clerk the return must be signed by either the Presiding Officer or Ward Clerk (as the case may be) and by two of the voters present at the said election. In the absence of two voters at the said election the Honorary Ward Clerk may sign the return with either the Presiding Officer or Ward Clerk.

ISSUE DATE: ~~13 JUNE 2014~~ 27 AUGUST 2021

**DECLARATION to be made and SUBSCRIBED under the Promissory Oaths Act 1868 by a person elected as a Common Councilman of the City of London.**

Ward of [WARD]

I, **[FULL NAME]**, do solemnly sincerely and truly declare, that I will faithfully perform the duties of the office of a COMMON COUNCILMAN of the City of London.

Signed \_\_\_\_\_

The above DECLARATION was made and subscribed this \_\_\_\_\_  
day of \_\_\_\_\_ Two Thousand and \_\_\_\_\_

Before me \_\_\_\_\_

\*Lord Mayor  
Alderman presiding at Wardmote  
Alderman of the City of London  
Justice of the Peace

NOTE \*Strike out words not required.

The above Declaration should, if possible, be made on the day of election before the Alderman presiding at the Wardmote, but an Act of Common Council made on 1st November 1928 provides that if it is not so made it may be made at any time after the election before the Lord Mayor, an Alderman of the City, or any Justice of the Peace and lodged with the Town Clerk within 7 days of making and subscribing the same.

**CORPORATION OF LONDON CODE OF CONDUCT FOR MEMBERS**

I undertake to be guided by the City of London Corporation's Code of Conduct in the performance of my functions in the office of a COMMON COUNCILMAN of the City of London.

Signed \_\_\_\_\_

Date \_\_\_\_\_

The above declaration was made and subscribed before me.

Signed \_\_\_\_\_

\*Lord Mayor  
Alderman presiding at Wardmote  
Alderman of the City of London  
Justice of the Peace

NOTE \*Strike out words not required.

Enter identification mark as on candidate's declaration

## Return of candidate spending: Local government elections in England and Wales

### Section 1 – Details of candidate and election

Local authority	<input type="text"/>		
Ward/District	<input type="text"/>		
Electorate	<input type="text"/>	Date you became a candidate	<input type="text"/>
Date of election	<input type="text"/>	Date election result declared	<input type="text"/>
Candidate name	<input type="text"/>		
Registered party	<input type="text"/>	Spending limit	£ <input type="text"/>

### Section 2 – Details of election agent

Agent's name  Date election agent appointed

I am the agent responsible for delivering this return of candidate's expenses under Part II of the Representation of the People Act 1983 ☐

I am the candidate and I was my own election agent. I am responsible for delivering this return of candidate's expenses under Part II of the Representation of the People Act 1983 ☐

Signature of agent

Date

### Section 3 – Summary of spending

If you have information to report about candidate spending you should use the worksheets to set out the details for each item and enter the totals for the types of payment and categories of spending into tables 3a and 3b.

If you have nothing to report for a particular category you do not need to attach the worksheet, but you must enter zero or nil next to that category in tables 3a and 3b.

Tell us if you have completed and attached the following worksheets:

Advertising	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Unsolicited material to electors	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Transport	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Public meetings	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Agent and other staff costs	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Accommodation and administration	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Unpaid claims	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Disputed claims	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

#### Section 3a Types of payment

Manner of payment	£.pp/Nil
Unpaid claims	
Disputed claims	
Value of notional spending	
Payments made	
<b>Total election spending</b>	<b>£</b>

Total spending for 3a should equal the total spending for 3b. If they are not equal then check you have completed the worksheets on unpaid and disputed claims.

#### Section 3b Categories of spending

Purpose	£.pp/Nil
A. Advertising	
B. Unsolicited material to electors	
C. Transport	
D. Public meetings	
E. Agent and other staff costs	
F. Accommodation and administration	
<b>Total election spending</b>	<b>£</b>

#### Section 4 – Statement of all personal expenses incurred

Please provide details of personal expenditure on the worksheet labelled 'Personal expenses'

Personal expenses are the reasonable travel and living expenses of the candidate for the purpose of campaigning in the election. Personal expenses do not count against the candidate's limit and they should not duplicate anything already declared as election spending under section 3

The total amount of personal expenses

£

### Section 5 – Donations

Tell us if you have completed and attached the worksheets on:

Accepted donations Yes ☐ No ☐

Rejected donations Yes ☐ No ☐

Total value of donations accepted £

Total value of donations rejected £

Please tell us about any money provided by the candidate to meet election spending costs (optional) £

### Section 6 – Access to Elected Office for Disabled People Fund (This question is voluntary)

Have you received a grant from the Access to Elected Office Fund? Yes ☐ No ☐ Prefer not to say ☐

**Submit this return to the appropriate Returning Officer within 35 days after the declaration of the result.**

It must be accompanied by a separate declaration signed by the election agent verifying this return.

Within seven working days of submitting this return, the candidate must also submit a signed declaration verifying this return.

A. Advertising								
Item No	Receipt/ Invoice	Item/ Service	Name and address of supplier (unless on invoice/receipt)	Date paid	Value £	Amount paid £	Notional value £	Disputed /Unpaid
Sub-totals								

B. Unsolicited material to electors								
Item No	Receipt/ Invoice	Item/ Service	Name and address of supplier (unless on invoice/receipt)	Date paid	Value £	Amount paid £	Notional value £	Disputed /Unpaid
Sub-totals								



C. Transport								
Item No	Receipt/ Invoice	Item/ Service	Name and address of supplier (unless on invoice/receipt)	Date paid	Value £	Amount paid £	Notional value £	Disputed /Unpaid
Sub-totals								

D. Public meetings								
Item No	Receipt/ Invoice	Item/ Service	Name and address of supplier (unless on invoice/receipt)	Date paid	Value £	Amount paid £	Notional value £	Disputed /Unpaid
Sub-totals								

E. Agent and other staff costs								
Item No	Receipt/ Invoice	Item/ Service	Name and address of supplier (unless on invoice/receipt)	Date paid	Value £	Amount paid £	Notional value £	Disputed /Unpaid
Sub-totals								

F. Accommodation and administration								
Item No	Receipt/ Invoice	Item/ Service	Name and address of supplier (unless on invoice/receipt)	Date paid	Value £	Amount paid £	Notional value £	Disputed /Unpaid
Sub-totals								

Unpaid claims					
Category	Item No	Item/Service	Amount £	Name of court	Date of application
TOTAL					

Disputed claims					
Category	Item No	Item/Service	Amount £	Nature of dispute	Action
TOTAL					

Personal Expenses				
Item	Amount £	Date expense incurred	Date invoice received	Date paid
Total				

Donations you have accepted						
Donor name	Address	Status	Received	Accepted	Value £	Nature
TOTAL						



Donations you have rejected					
Donor name	Address	Received	Value £	Nature	Date and manner dealt with
TOTAL					

**DECLARATION BY  
CANDIDATE AS TO ELECTION EXPENSES**

**REQUIRED BY  
SECTION 82 OF THE REPRESENTATION OF THE PEOPLE  
ACT 1983**

**CITY OF LONDON WARD ELECTIONS**

**ELECTION OF COMMON COUNCILMAN/ALDERMAN\***

**To be completed by the candidate where ~~he/she~~they acted as ~~his/her~~their own  
election agent  
to accompany the return of election expenses;**

**OR**

**To be completed by the candidate to accompany the return of election expenses and declaration  
completed by the election agent, or to be submitted within seven days of the date of that return.**

**ELECTION IN THE WARD OF \_\_\_\_\_**

**DATE OF PUBLICATION OF NOTICE OF ELECTION \_\_\_\_\_**

Full name of candidate \_\_\_\_\_

I solemnly and sincerely declare as follows:

1. I am the person named above as candidate at this election [and was my own election agent]\*.
2. I have examined the return of election expenses [about to be]\* delivered by [my election agent]\* [myself as election agent]\*, a copy of which is now shown to me and marked \_\_\_\_\_, and to the best of my knowledge and belief it is a complete and accurate return as required by law.
3. To the best of my knowledge and belief, all expenses shown in the return as paid, were paid by [my election agent]\* [myself as election agent]\*, except as otherwise stated.

Signature of declarant \_\_\_\_\_

Date \_\_\_\_\_.

| ISSUE DATE: ~~13 JUNE 2014~~ 27 AUGUST 2021

**\* Delete as appropriate**

**DECLARATION BY  
ELECTION AGENT AS TO ELECTION EXPENSES**

**REQUIRED BY  
SECTION 82 OF THE REPRESENTATION OF THE PEOPLE ACT 1983**

**CITY OF LONDON WARD ELECTIONS**

**ELECTION OF COMMON COUNCILMAN/ALDERMAN\***

**To be completed by the election agent  
to accompany the return of election expenses**

**ELECTION IN THE WARD OF \_\_\_\_\_**

**DATE OF PUBLICATION OF NOTICE OF ELECTION \_\_\_\_\_**

Full name of candidate \_\_\_\_\_

Full name of election agent \_\_\_\_\_

I solemnly and sincerely declare as follows:

1. I was at this election the election agent of the person named above as candidate.
2. I have examined the return of election expenses [about to be]\* delivered by myself as election agent to the above candidate, a copy of which is now shown to me and marked \_\_\_\_\_, and to the best of my knowledge and belief it is a complete and accurate return as required by law.
3. To the best of my knowledge and belief, all expenses shown in the return as paid, were paid by myself as election agent to the above candidate, except as otherwise stated.

Signature of declarant \_\_\_\_\_

Date \_\_\_\_\_

**\* Delete as appropriate**

## INDEX

### ALDERMEN

Declaration and Oath .....	624
Description .....	2
Disqualification of .....	<del>165</del> , <u>16</u>
Expenses of candidates at elections of .....	<del>323</del> - <u>34</u>
Nomination and Consents to Nomination .....	<del>201</del> - <u>257</u>
Oaths and Declarations to be taken by .....	<del>642</del> - <u>635</u>
Precept for election of .....	<del>1921</del> , <u>8993</u>
Proceedings at election where poll is taken .....	<del>456</del> - <u>489</u>
Qualification for office of .....	<del>14</del> - <u>15</u>
Qualification of voters at elections of .....	<del>34</del> - <u>89</u>
Resignation .....	2, <del>167</del> - <u>189</u>
Return of election expenses and declaration .....	<del>334</del> - <u>346</u> , <del>1115</del> - <u>12731</u>
Return to Precept for election of .....	<del>624</del> , <u>10812</u>
Surrender of office .....	<del>167</del> - <u>189</u>
Term of office .....	2, <del>167</del>
Wardmote:	
Alderman, for the election of .....	<del>401</del> - <u>423</u>
Adjourned .....	<del>5860</del> - <u>5961</u>
Agenda .....	<del>779</del> - <u>802</u>

### BALLOT PAPER

Form of .....	<del>467</del> , <u>10711</u>
---------------	-------------------------------

### BEADLE

Casual vacancy in the office of .....	<del>401</del>
Election of .....	<del>3940</del> - <u>401</u> , <u>835</u>
Position in the electoral process .....	<del>3940</del> - <u>401</u>
Voters at election of .....	<u>401</u>

### CANDIDATE

Death of candidate nominated .....	<del>267</del> - <u>278</u>
Entitlement to attend Wardmote .....	<u>378</u>
Nomination of .....	<del>201</del> - <u>257</u> , <del>948</del> - <u>97101</u>
Qualification for office of Alderman .....	<del>14</del> - <u>15</u>
Qualification for office of Common Councilman .....	<del>123</del> - <u>134</u>
Return of election expenses and declaration .....	<del>334</del> - <u>346</u> , <del>1115</del> - <u>12731</u>
Send particulars of Election Agent to Town Clerk .....	<u>289</u>
Ward Clerk to publish list of persons nominated .....	<del>256</del> , <del>98102</del> - <u>99103</u>
Withdrawal from nomination .....	<del>256</del> - <u>27</u> , <u>1004</u>

### CONSENT TO NOMINATION

Form of:	
Alderman .....	<u>96100</u>

Common Councilman .....	<u>97101</u>
Time for giving of .....	<u>234</u>
 COMMON COUNCILMEN	
Continuation in office when election cancelled .....	<u>278</u>
Death of .....	<u>1820</u>
Declaration to be made by .....	<u>635-646, 1104</u>
Disqualification of .....	<u>123-134, 1921</u>
Expenses of candidates at election .....	<u>323-34</u>
Nominations and Consents to Nomination .....	<u>201-257, 959,</u> <u>97101</u>
Numbers .....	<u>2, 679</u>
Precept for:	
election every four years .....	<u>19-201, 904</u>
election for a casual vacancy .....	<u>19-201, 915</u>
Presiding Officer at elections for .....	<u>378-39</u>
Proceedings on day of poll .....	<u>456-489</u>
Qualifications for office of .....	<u>123-134</u>
Qualification of voters at elections of .....	<u>34-89</u>
Resignation of .....	<u>1820</u>
Return of election expenses and declaration .....	<u>334-346, 1115-</u> <u>12731</u>
Return to Precept for election of .....	<u>635, 10913</u>
Term of office .....	<u>189-20</u>
Vacancy in office, caused by .....	<u>189-20</u>
Wardmote:	
Adjourned .....	<u>5961-602</u>
Agenda .....	<u>813-857</u>
Common Councilman, for the election of .....	<u>423-456</u>
 DECLARATION	
Election expenses, forms of .....	<u>1115-12731</u>
Of office:	
Alderman .....	<u>624</u>
Common Councilman .....	<u>635-646, 1104</u>
Of secrecy .....	<u>423, 456, 1059</u>
 DEPUTY	
Appointment of .....	<u>389, 445, 835,</u> <u>857</u>
Qualification of .....	<u>389</u>
Presiding at a Wardmote .....	<u>378-40</u>
 DISQUALIFICATION	
Alderman .....	<u>165, 16</u>
Common Councilman .....	<u>123-134, 1921</u>
 ELECTION	
Conduct of:	

appointment of officers .....	468
Count.....	<del>578-586</del>
poll .....	<del>456-489</del>
positions involved in the electoral process .....	<del>378-401</del>
provision of equipment .....	467
Expenses .....	<del>312-346</del>
Notice of .....	<del>201, 926-937</del>
Notice of Poll .....	<del>25-267, 1015</del>
Publicity .....	<del>301-312</del>
 ELECTION AGENT	
Appointment of .....	<del>289-301</del>
Candidate as <del>his</del> <u>their</u> own .....	<del>2930</del>
.....	
Declaration of election expenses .....	<del>312-346, 1115-</del> <del>12731</del>
Duties of .....	<del>301</del>
Form of notice of appointment .....	<del>1026-1037</del>
Office, location of .....	<del>2930</del>
Publication of names and addresses .....	<del>2930-301, 1048</del>
 ELECTION OF ALDERMEN	
Wardmote:	
Alderman, for the election of .....	<del>401-423</del>
Adjourned .....	<del>5860-5961</del>
Agenda .....	<del>779-802</del>
 ELECTION OF COMMON COUNCILMEN	
Wardmote:	
Adjourned .....	<del>5961-602</del>
Agenda .....	<del>813-857</del>
Common Councilman, for the election of .....	<del>423-456</del>
 HONORARY WARD CLERK	
Appointment of, by the Alderman for the Ward .....	<del>3940</del>
Fees for .....	<del>613</del>
Position in the electoral process .....	<del>3940</del>
Role of, at Wardmote .....	<del>401-456, 5960-</del> <del>602</del>
 HOURS OF POLL .....	
	<del>467</del>
 JOINT CANDIDATES	
As to election expenses .....	<del>323-34</del>
 LORD MAYOR	
Power to cancel election .....	<del>278</del>
Presiding Officer at election of Aldermen .....	<del>378</del>
To issue Precepts for Ward elections .....	<del>1921</del>

## NOMINATION AND NOMINATION PAPERS

As to subscription .....	<u>223</u>
Consent to .....	<u>234</u>
Death of candidate after .....	<u>267-278</u>
Form of .....	<u>948-97101</u>
Publication by Ward Clerk .....	<u>256, 98102-99103</u>
Time for lodging of .....	<u>224</u>
Validity – decision by Ward Clerk .....	<u>235-246</u>
Withdrawal of candidature from .....	<u>256-27, 1004</u>

## NOTICE OF POLL

Form of .....	<u>1045</u>
Time for giving of .....	<u>267</u>
Publication by the Ward Clerk .....	<u>267</u>

## NOTICE OF WARD ELECTION

Form of:	
Alderman .....	<u>926</u>
Common Councilman .....	<u>937</u>
Publication by the Ward Clerk .....	<u>201</u>

## OATHS

Alderman, Form of .....	<u>624</u>
-------------------------	------------

## POLL

Card .....	<u>267</u>
Conduct of .....	<u>456-489</u>
Day for holding .....	<u>45-467</u>
Documentation to complete at close of .....	<u>868-8890</u>
Hours of .....	<u>467</u>
Notice of .....	<u>267, 1045</u>
Taken by Ballot .....	<u>467</u>

## POLLING STATIONS

Appointment of officers to conduct election .....	<u>423, 456, 468</u>
Equipment to be provided at .....	<u>467</u>
Guidance for the Direction of Voters .....	<u>467, 406110</u>

## POSTAL VOTE

Counting of .....	<u>534-578</u>
Eligibility for .....	<u>502</u>
Issue of .....	<u>542-534</u>
Retention of documentation relating to .....	<u>534, 868-8890</u>
Time for:	
lodging application for .....	<u>542</u>
returning completed papers .....	<u>534</u>

## PRECEPT

Form of:



Aldermen .....	<u>8993</u>
Common Councilmen, casual vacancy .....	<u>915</u>
Common Councilman, four yearly elections .....	<u>904</u>
Issue of .....	<u>19-201, 367</u>
Return to Precept, form of:	
Aldermen .....	<u>10812</u>
Common Councilmen .....	<u>10913</u>
 PRESIDING OFFICER	
At elections of:	
Aldermen .....	<u>378</u>
Common Councilmen .....	<u>378</u>
 PRINTER	
Name and address of on election publications .....	<u>301-312</u>
 PROCLAMATION	
At closure of Wardmote.....	<u>423, 45, 456, 5961, 602</u>
At opening of Wardmote .....	<u>401, 434</u>
Form of .....	<u>779-857</u>
 PROVISIONAL WARD LIST	
Preparation and publication of .....	<u>89-910</u>
 PROXY VOTE	
Eligibility for .....	<u>489-4950</u>
Entitlement to vote by post .....	<u>502</u>
List of, to be maintained .....	<u>501</u>
Time for lodging an application for .....	<u>4950-501</u>
Who can be appointed as .....	<u>4950</u>
 QUALIFICATION	
Aldermen .....	<u>14-15</u>
Common Councilmen .....	<u>123-134</u>
Deputies .....	<u>389</u>
Voters .....	<u>34-89</u>
 RESIGNATION	
Aldermen .....	<u>167-189</u>
Common Councilmen .....	<u>1820</u>
 RETURN OF ELECTION EXPENSES	
By whom .....	<u>334-345</u>
Form of .....	<u>1115-12731</u>
Time for .....	<u>334-35</u>
 RETURN TO PRECEPT	
By whom:	
Aldermen .....	<u>624</u>

Common councilmen .....	635
Form of:	
Aldermen .....	10812
Common councilmen .....	10913
Time for making .....	624-635
 RETURNING OFFICER	
Exercise casting vote on equality of votes .....	5860
Returning Officer, deputy to .....	389
Who is .....	389
 SECRECY	
Declaration of .....	423, 456, 1059
 STATEMENT OF PERSONS NOMINATED	
Form of .....	98102-99103
Preparation and publication of .....	256
 TIME	
Calculation of time for the purpose of certain periods .....	1920-21, 34-356, 45-467, 501, 635
 TIMETABLE	
For Ward elections for:	
Aldermen .....	6870-743
Common Councilmen .....	724-768
 TOWN CLERK	
Appointed as Ward Clerk .....	201, 3940
To prepare Ward lists .....	89-142
To report to Court of Aldermen on death, disqualification or surrender of office of Alderman .....	167
 VOTERS	
Entry on Ward list .....	89-910
Postal .....	502-534
Proxy .....	489-501
Qualification .....	34-89
Ward list, definitive as to persons entitled to vote .....	910
 WARD CLERK	
Appointment of Town Clerk as .....	3940
Position in the electoral process .....	389-3940
To decide on the validity of nominations .....	235-246
To publish	
Notice of Ward election .....	201
Statement of Persons Nominated .....	256
Notice of Poll .....	267

Return to Precept Common Councilmen, signature of .....	635
WARD EXPENSES .....	643
WARD ELECTION	
See ELECTION above.	
WARD LISTS	
Appeals relating to .....	142
Definitive as to who can vote at a Ward election .....	910
Objections to registration in .....	911-102
Preparation of .....	98-911
Retention of following Ward election .....	868
WARDS	
Number of .....	2, 657-679
WARDMOTE	
Agenda for:	
Aldermen, election of .....	779-802
Common Councilmen, election of .....	843-857
Attendance at .....	378
Held within the boundaries of the Ward .....	378
Origins .....	367
Presiding Officer at .....	378
Procedure at .....	401-456
Procedure at Adjourned Wardmote .....	5860-602
Proclamation:	
on opening .....	779, 7981, 843, 846
on closing .....	7880, 802, 824, 857
on adjourning .....	7981, 824-835
Timing of .....	39-409
WITHDRAWAL OF NOMINATION	
Candidate's notice to Ward Clerk .....	256
Form of .....	1004
Method of notice if candidate is outside the U.K. ....	256-27

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**Shrieval Plan  
2021 – 2022**

**Alderman Alison Gowman  
&  
Alderman Nick Lyons**

**October 2021**

## Summary

This report outlines the proposed 2021 – 2022 Shrieval Plan which will be championed by the Sheriffs, Alderman Alison Gowman and Alderman Nick Lyons.

The 2021 – 2022 Shrieval Plan outlines how the Sheriffs will support the Lord Mayor of the City of London, uphold the rule of law as custodians of the Central Criminal Court (Old Bailey) and advance the City's engagement and influence across the three pillars of Community, Charity and Commerce.

## Main Report

### Shrieval Priorities

1. The Sheriffs will support the Lord Mayor in their role as a global ambassador for the UK financial and professional services (FPS) sector and in advancing key areas in the Competitiveness Strategy of the City of London Corporation and wider City of London Corporation Corporate Plan 2018-23.
2. The Sheriffs of the City of London uphold the rule of law as custodians of the Old Bailey, liaise with and support HM Judges, support and represent the Lord Mayor as part of the Civic Party and, through the hosting, facilitating and the promotion of lunches and events at the Old Bailey, advance the City's engagement and influence. (Utilising the Shrieval Events Budget).
3. The Sheriffs will support the judiciary, promote plans by the City Corporation for a new 'Justice Quarter' and support the profile and role of HM Judges. They will promote a thriving, innovative and growing legal sector and the role of the City of London Police as the national lead for economic and cyber-crime.
4. In support of the Lord Mayor, the Sheriffs will advance the 2021 – 2022 Mayoral Theme – *People & Purpose* which will champion a purpose led and people focused UK FPS sector; growing the global competitiveness of the UK as a world leader in ESG and sustainable finance and home to the best and most diverse global talent; driving social mobility at all levels.
5. The 2021 – 2022 Shrieval Priorities will be brought together through three key pillars that will form the focus of the activity for the shrievalty, building on the experience and expertise of the Sheriffs in order to contribute to a flourishing society, shape outstanding environments and support a thriving economy:
  - A. Community: Build greater links between the Old Bailey and community groups and education establishments; recognising organisations and volunteers working to reduce knife crime; connecting the Old Bailey to City Schools and Academies; and hosting the Sheriffs' Challenge and the Sheriffs' Bravery Awards.
  - B. Charity: Promote the Lord Mayor's Appeal, City Giving Day, Lord Mayor's Big Curry Lunch and the Sheriffs' and Recorder's Fund and encourage the use of the Old Bailey for charitable events.
  - C. Commerce: Amplify the Corporation's Sustainable Finance Framework and Green Horizons Programme with events and lunches focusing on Green Finance, ESG and Impact Investing; promote the Corporation's Climate Action Strategy; engage the insurance, asset and investment management sectors and promote the role of the property sector in recovery, inward investment and greening the economy.

6. The Sheriffs will continue to support the Recorder of London and the City Law Officers to promote the rule of law and raise the profile of the Old Bailey with events for the High Sheriffs, Central London Magistrates, High Court Judges, Inner and Middle Temple, International Bar Association and the new Justice Quarter as well as events to mark the 50<sup>th</sup> anniversary of the opening of the new part of the Old Bailey and the anniversary of the first female judge to sit at the Old Bailey.
7. Focusing on the rule of law and the three priority areas of Community, Charity and Commerce will ensure the Old Bailey continues to be at the heart of the criminal justice system, is connected to the communities it serves and that the Shrievalty continues to support the Lord Mayor in advancing the global competitiveness of the UK.

### **Delivery**

8. In consultation with the Recorder, the Sheriffs propose to reduce the daily formal lunches to four days per week with Fridays reserved for Judges Only Lunches.
9. The Sheriffs will update the Guide to the Old Bailey and Feedback Forms.
10. Themed Lunches will continue with 12 to 15 Themed Lunches per year with approx. 12 guests per Lunch. The ambition of the Sheriffs is to host pre meetings with guests to achieve meaningful discussions prior to lunch and encourage visits to court post lunch to promote the rule of law and role of the judiciary at the Old Bailey. See Proposed Themed Lunches and Events at Appendix 1.
11. The Sheriffs will continue to promote the Old Bailey as a Commercial Venue and support the Old Bailey commercial income strategy.
12. The Sheriffs will work to increase the diversity and inclusion of guests received at the Old Bailey.

### **Measures of Success**

13. Success will be measured through the support provided to the delivery of the Lord Mayor's Programme and Lord Mayor's Theme, the level of engagement with key markets and sectors in support of the Competitiveness Strategy and the Corporate Plan, the number of relationships established or strengthened with business, community and third sector leaders, an increase in the awareness and use of the Old Bailey, more diverse events and improved feedback from guests.

### **Conclusion**

14. The Shrieval Plan 2021 – 2022 will support, promote or amplify the Corporate Plan, growing the global competitiveness of the UK, promoting the rule of law and advancing the City's engagement and influence across Community, Charity and Commerce.

### **Appendices**

Appendix 1 – Proposed Theme Lunches and Events

**Alderman Alison Gowman & Alderman Nick Lyons**  
Sheriffs 2021 – 2022

## **Appendix 1 – Proposed Theme Lunches and Events**

Alderman Gowman will host in host in November, January, March, May, July and September with Alderman Lyons hosting in in October, December, February, April and June. The aim is for approx. 12 people attending each with a short pre meeting to discuss issues around the relevant topic.

### **Potential Topics**

- Sovereign Wealth Funds (NL)
- Property Industry (AG)
- Livery in Education (NL)
- Glove Industry (AG)
- Regulatory Framework and Emerging Trends (NL)
- Philanthropy – Large City Funders (both)
- Hanseatic (AG)
- Stock Exchange (NL)
- Green Finance (AG)
- Livery Climate Action Group (AG)
- National Days
  - Brazil Colombia England Germany Norway USA (AG)
  - USA, Switzerland, ASEAN, Ireland, Bermuda, Japan (NL)

### **Potential Events**

- 50<sup>th</sup> anniversary of the opening of the new part of the Old Bailey
- Anniversary of the first female judge to sit at the Old Bailey.
- First 100 years Lecture
- Anniversary of Witness Care
- Magistrates Reception
- High Sheriffs' Reception
- Property Investment Board (Away Day)
- City Property Association
- Chartered Surveyors Livery
- London First
- International Business and Diplomatic Exchange
- 20:40 Young leaders
- Honourable Irish Society

### **Potential Fundraising**

- Tour de City
- Sheriffs' Ball
- Sheriffs' and Recorder's Fund Dinner
- Guildhall School of Music and Drama Performance
- Prison Advice and Care Trust with High Sheriff



<b>Committee(s)</b>	<b>Dated:</b>
General Purposes Committee of Aldermen	19 October 2021
<b>Subject:</b> Privileged Regiment Status: 256 (City of London) Field Hospital	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	<b>7.b.</b>
<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>	<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> Mr. Remembrancer	<b>For Decision</b>
<b>Report author:</b> James Edwards, Remembrancer's Officer	

## Summary

This report sets out the case for the conferring on 256 (City of London) Field Hospital the status of a Privileged Corps of the City of London.

## Recommendation

The Committee is invited to recognise 256 (City of London) Field Hospital as a Privileged Corps of the City of London.

## Main Report

### Background

1. The status of a Privileged Corps is a distinction which may be conferred on military units by the Corporation, including by the Court of Aldermen, to mark a particular affinity and association with the City of London. The privilege is the modern expression of an ancient immunity from military impressment, asserted by the citizens of London at least since the 14th century. It recognised those military bodies with London origins considered to have been assembled in a manner respectful of this immunity.
2. By tradition this meant that the privilege was confined to regiments which could be shown to have been descended from the "trained bands" of the City (an important local militia in the 16th and 17th Centuries under the control of the civic authorities), or from regiments recruited from within the City with the assent of the Lord Mayor in the period following the Restoration. The status was originally conferred exclusively on Army regiments, which enjoy the distinction of marching through the City, on such days as may be agreed between them and the Lord Mayor, with "drums beating, colours flying and

bayonets fixed". (The 'privileged' mode of marching is symbolic of the old method of recruitment "by beat of drum.")

3. In more recent years the privilege has been extended to regiments and corps established since the Restoration which have close associations with the City. The current list of Privileged Corps is noted in the annex to this report. The associations are evidence-based and include the need to show recruitment "by beat of drum" in accordance with the origin of the tradition.

### **The History of 256 (City of London) Field Hospital**

4. 256 (City of London) Field Hospital is the Army Reserve hospital in London and was formed in October 1995 from the amalgamation of three London-based Territorial Army medical units: 217 (London) General Hospital (Volunteers), 257 (Southern) General Hospital (Volunteers) and 221 (Surrey) Field Ambulance (Volunteers). These three units were themselves the successors of previous London-based volunteer units, two of which could draw their descent back to the Volunteer Medical Staff Corps formed in 1885.
5. 217 (London) General Hospital (Volunteers), for example, trace their descent to the Company of Volunteer Medical Staff Corps established in 1885 at Birkbeck College via 217 (Eastern) General Hospital, 167 (City of London) Field Ambulance, and the 3<sup>rd</sup> London (City of London) Field Ambulance Territorial Force. 221 (Surrey) Field Ambulance trace their descent from the Woolwich Company of the Volunteer Medical Staff Corps via 221 (Surrey) Field Dressing Station, 47 (Home Counties) Field Ambulance Territorial Army, 140 (County of London) Field Ambulance, and the 4th and 5th (London) Field Ambulances.
6. While these Corps were established only in 1885, the origins of military medicine and surgery within the City of London can be recorded as early as 1368, when the Master Surgeons formed a guild (which later merged with that of the Barbers). It was also from the City and the Royal Colleges that the Army of the sixteenth century sourced its military surgeons, with the General Master of the Ordnance writing to Queen Elizabeth I, 'that he had recruited 72 Surgeons from London' to support the conflict with Spain.
7. The Company of Surgeons supplied medical personnel to both sides in the War of the Three Kingdoms, though given Parliament's control of London, they had the greater supply. Following the creation of the New Model Army – the precursor to the modern standing army – the Livery Companies' and City's role in providing surgical personnel, surgical material and medicines to the Army and Navy became increasingly formalised until, after the Restoration, the first Surgeon-General (1664), Apothecary-General (1686) and Physician-General (1687) were appointed. The close relationship between the City's hospitals and the Armed Forces is also seen in the 1665 authorisation by the Commission for the Sick and the Hurt for half of the City's hospital beds, principally in St Thomas', to be reserved for the Army in the absence of military hospitals. The Unit has asserted that the governance of the nascent Army Medical Services was effectively led by the institutions of the City of London until the formal establishment of the Army Medical Department in the 18<sup>th</sup> century.

## **256 (City of London) Field Hospital and its City connections**

8. 256 (City of London) Field Hospital enjoys a number of connections with the civic City. The Corps is affiliated to the Worshipful Company of Apothecaries, the Worshipful Company of Barbers, and the Worshipful Company of Cutlers, continuing links which its predecessor units had formed with the Livery. The Unit has also taken part in the Lord Mayor's Show in recent years.
9. The Unit was bestowed with the City of London title in 1995 to recognise its close association with the City. In 1998, the City Corporation hosted a reception for the Unit to mark the centenary year of the Royal Army Medical Corps. From 1996 to 2000, Alderman Sr John Chalstrey, who served as Lord Mayor from 1995-1996, was honorary colonel of 256 (City of London) Field Hospital in recognition of his career as a surgeon.

## **Deployments and COVID-19**

10. Today, 256 (City of London) Field Hospital is one of the 10 Regional Reserve Hospitals that has a workforce drawn from London and the South East NHS Trusts. It is able to deploy as part of the wider hospital system, and can deliver a mobile field medical unit with an Emergency Department, Critical Care, Surgical Theatres, Wards, Imaging, and Laboratories in support of the Armed Forces during conflict and humanitarian disasters. It trains and develops its personnel who work and live in London to improve patient care for both its military patients and those that are received into the care of the NHS.
11. In recent years 256 (City of London) Field Hospital has deployed as a Unit and has also provided personnel to support operations and deployments in Iraq, Afghanistan, the Balkans Conflict, Oman, and West Africa, including to Serra Leone during the Ebola Crisis.
12. Most recently, personnel from the Unit, including its former Commanding Officer, Colonel Ashleigh Boreham, were deployed as part of the military response to the COVID-19 pandemic. Col Boreham headed the advisory team which helped convert the ExCel centre into London's Nightingale Hospital.
13. Noting the convention in paragraph 2 by which Privileged Regiments have traditionally recruited "by beat of drum" within the City, 256 (City of London) Field Hospital – having no history of recruitment in this manner – conducted a recruitment exercise in Guildhall Yard on 23 September 2020 to satisfy this criterion. Volunteers from the Unit handed out recruitment flyers to members of the public passing by Guildhall. A manned information stall was also set up in the Yard. As a recruitment event it can be said to have met the traditional requirement. Photographic evidence of the recruitment exercise is also annexed to this report.

## **Conclusion**

14. Examination of the connections between 256 (City of London) Field Hospital and the City of London and the actions of the Corps with respect to recruitment noted at paragraph 13 above disclose a sufficiency of evidence to justify its treatment as a Privileged Corps of the City.

### **Recommendation**

15. The Committee is invited to endorse the recommendation as set out at the beginning of this report and to commend it to the Court of Aldermen.

### **James Edwards**

Office of the City Remembrancer

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**Annex One**  
**List of the Privileged Regiments**

- The Royal Marines
- Princess of Wales' Royal Regiment
- The Grenadier Guards
- The Honourable Artillery Company
- The Royal Regiment of Fusiliers
- The Coldstream Guards
- The Household Cavalry, comprising the Blues and Royals and the Life Guards
- The London Regiment
- 101 (City of London) Engineer Regiment (Explosive Ordnance Disposal & Search)
- 71 (City of London) Yeomanry Signal Regiment

*Privileged Corps*

- 600 (City of London) Squadron Royal Auxiliary Air Force
- H.M.S. President
- The Intelligence Corps (conferred through 3 Military Intelligence Battalion)
- The First Aid Nursing Yeomanry (Princess Royal's Volunteer Corps)

## Annex Two

Images taken at 256 (City of London) Field Hospital's recruitment exercise in Guildhall Yard on 23<sup>rd</sup> September 2021.



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