

<b>Committee:</b>	<b>Date:</b>
Open Spaces, City Gardens & West Ham Park Committee	8 October 2012
<b>Subject:</b> Decision Taken Under Delegated Authority Procedures	<b>Public</b>
<b>Report of:</b> Town Clerk	<b>For Information</b>
<p><b><u>Summary</u></b></p> <p>This report provides details of action taken by the Town Clerk in consultation with the Chairman and Deputy Chairman of this Committee, in accordance with Standing Order No. 41(b).</p> <p><b>Recommendations:-</b></p> <p>That the action taken since the last meeting be noted.</p>	

### **Main Report**

#### **Background**

Standing Order No. 41(b) provides a mechanism for decisions to be taken between scheduled Committee meetings, where the Committee has delegated authority to make the decision to the Town Clerk in Consultation with the Committee's Chairman and Deputy Chairman.

At the meeting of the Open Spaces, City Gardens & West Ham Park Committee on 23 July 2012, Members considered a report which requested the Committee's views on the governance arrangements implemented in 2011 for submission to the Governance Review Working Party as part of the Post-Implementation Governance Review. Following discussion, Members agreed to delegate power to the Town Clerk, in consultation with the Chairman & Deputy Chairman, to finalise the Committee's response to the Party.

#### **Decisions Taken under Delegated Authority**

1. The following actions have been taken under urgency Standing Order No. 41(b), since the last meeting of the Committee:

##### **Review of the Governance Arrangements Implemented in 2011**

Approval was granted (with the approval of the Court of Common Council) to delegate authority to the Town Clerk in consultation with the Chairman and Deputy Chairman in respect of the following : -

On 17 August, the Chairman wrote to the Committee setting out the view that West Ham Park should be re-established as a separate Committee. Only supportive responses were received. The views contained within the following response, in addition to the views captured in the relevant minute from the 23 July 2012 meeting, were submitted to the Governance Review Working Party for consideration.

The Committee arrangements introduced in respect of Open Spaces, City Gardens and West Ham Part by the Governance Review have caused some difficulties to the newly formed Committee, particularly in respect of Chairmanship, Deputy Chairmanship, quorum and the eligibility of the different constituent groups to speak on the variety of matters presented to the Committee.

Under the 1874 Conveyance, which sets out the arrangements for the management of West Ham Park, a non-City of London member can be Chairman or Deputy Chairman in respect of the West Ham Park business. However, such a member cannot hold this position in respect of Open Spaces or City Gardens business, may not speak on Open Spaces or City Gardens matters (without the consent of the Chairman), nor receive or participate in the consideration of non-public papers relating to Open Spaces or City Gardens.

Although attempts have been made to resolve these issues, it has been felt by the Committee that they are overly complex and do not really address the difficulties. Having considered the operation of the Committee at its July meeting, and undertaken further consultation with Members over the summer, the Committee propose that the West Ham Park Committee be re-established as a separate committee; although, in order to minimise duplicating committee administration, meeting on the same day and immediately preceding the meeting of the Open Spaces and City Gardens Committee (in line with the former precedent of the Hampstead Heath Management Committee and the Keats House Management Committee).

#### Membership

The membership of the West Ham Park Committee should be maintained exactly as previously, and in accordance with the requirements of the 1874 Conveyance:

- Four Members nominated by the Heir-at-law of the late John Gurney
- Two Members nominated by the London Borough of Newham
- One Member nominated by the Parish of West Ham
- Eight Court of Common Council Members

To ensure a continued link with Open Spaces & City Gardens Committee it is proposed that the same eight Court of Common Council Members be elected by the Court to serve on both the West Ham Park and Open Spaces & City Gardens Committees.

### Chairmanship

As previously, the position of Chairman and Deputy Chairman of West Ham Park Committee would be open to all members of the West Ham Park Committee (in accordance with the 1874 conveyance). Appropriate arrangements will need to be agreed for the representation of the Committee at the Court of Common Council should a non-City of London Member be elected as Chairman or Deputy Chairman.

A motion would also need to be submitted to the Court of Common Council to amend Standing Order 29.3(b) in order to allow the Chairman of the proposed Open Spaces & City Gardens Committee to be eligible to stand for Chairman of the West Ham Park Committee.

### Local Observer Member

As previously, the West Ham Park Committee would be invited to nominate a Local Observer to the Open Spaces & City Gardens Committee, in the same way as the Epping Forest & Commons and Hampstead Heath, Highgate Wood & Queens Park Committee currently do.

## **Conclusion**

2. Members are asked to note to contents of this report.

**Contact:**

*Edward Foale*

020 7332 1426

[edward.foale@cityoflondon.gov.uk](mailto:edward.foale@cityoflondon.gov.uk)