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The Corporation

28. In this part of my Report I briefly set out the structure and operation of the Corporation. These things may be wearily familiar to many, but for other readers they may provide some helpful context.

The elements of the governance structure

29. The Corporation of the City of London is a corporation by prescription⁵. It is not a local authority but performs many functions similar to “conventional” local authorities elsewhere in the country. The application of primary legislation to the Corporation is always provided for explicitly in statute. The Corporation also discharges a wide range of private and charitable functions.

The City’s **financing** has three sources:

- **The City Fund:** this meets the cost of the City’s local authority, police authority and port health authority work. The Fund generates rental and interest and receives grants from central government in the same way as conventional local authorities, together with a share of business rates and a proportion of council tax (which is very small because of the small residential population). In addition, the City is allowed to retain a small proportion of the business rates paid in the Square Mile (this is known as “the City offset”). Annual City Fund income amounts to £460.48M;⁶
- **City’s Cash:** this is an endowment fund built up over some 800 years, derived from property and investment earnings. It finances the maintenance and conservation of about 11,000 acres of parks and open spaces, the Mayoralty, Smithfield, Billingsgate and Leadenhall Markets, the City’s three independent schools and the Guildhall School of Music and Drama, all at no cost to the public finances. The current value of City’s Cash is £2,669.8M;⁷ and

⁵ By Charter of 1608; a statute of 1690 declared that the Mayor, Commonalty and Citizens should “remain, continue and be and prescribe to be a body corporate and politick in re, facto et nomine”.

⁶ 2020/2021 budget figures.

⁷ As at 31st March 2019.

- **Bridge House Estates:** an ancient charity whose primary object is the maintenance of five of the bridges which cross the Thames into the City⁸, but which also has significant grant-giving powers through the City Bridge Trust.

30. The City has three governance elements: the Court of Common Council, the Court of Aldermen, and the Livery, acting through Common Hall.
31. The **Court of Common Council** has 100 Members, elected every four years⁹ on a franchise with two elements: residential and business. I consider the franchise in paragraphs 124 to 128. The great majority of Members, whatever their personal political standpoints, sit as independents. The duty to allocate seats to political groups under the Local Government and Housing Act 1989 does not apply to the Corporation.¹⁰The 25 Aldermen are also Members of the Court of Common Council.
32. The Court normally meets nine times a year in formal session and is presided over by the Lord Mayor. It conducts the majority of its business through an extraordinarily large number of committees, foremost among which is the Policy and Resources Committee. A list of Committees and related bodies is at Appendix E.) The Chair of Policy and Resources (CPR) has a function which in local government generally would be discharged by the Leader – normally the leader of the largest political party. The Corporation does not apply the “executive arrangements” under the Local Government Act 2000 which provide for cabinet governance, but the membership of the Policy and Resources Committee has something in common with a cabinet, with the CPR as akin to a non-executive Leader.
33. The Corporation voluntarily applies the access to meetings rules under the Local Government Act 1972, as amended (a presumption that meetings and papers are publicly accessible unless statutory criteria for confidentiality are judged to apply). This is laudable in the interests of transparency but is not appropriate across all the Corporation’s functions (for example, the meetings of governing

⁸ London Bridge, Blackfriars Bridge, Southwark Bridge, Tower Bridge and the Millennium Footbridge.

⁹ The next elections, due in 2021, may be deferred to 2022 in consequence of the pandemic.

¹⁰ Section 15 of the 1989 Act applies to “relevant authorities” as defined in section 21. Those authorities are those specified in paragraph 1 of Schedule 2 to the Act, which relies upon the section 21 definitions but excludes the Common Council of the Corporation of London (together with the Council of the Isles of Scilly).

bodies of the Corporation's independent schools). I return to the issue in paragraph 542.

34. The Localism Act 2011 requires the Corporation, in common with conventional local authorities, to have "arrangements" to secure high standards of conduct on the part of Members and co-opted Members. In the City, this requirement was met by the establishment of a Standards Committee and associated machinery. I think it is fair to say that this has not been a happy experience, and I recommend alternative arrangements in Part 8 of this Report.
35. There is no retirement age for Common Councillors.
36. **Aldermen** are senior elected Members of the Corporation (one for each Ward, by convention elected every six years), who may go on to serve as Sheriff and Lord Mayor. They have a close relationship with the Central Criminal Court (The Old Bailey) acting on a monthly duty rota. They frequently represent the Lord Mayor at functions and events.
37. Aldermen are an integral part of the Court of Common Council, but they also sit as the Court of Aldermen, presided over by the Lord Mayor. The Court of Aldermen makes the final choice of Lord Mayor from the two candidates nominated by Common Hall each September.
38. The Court of Aldermen has two Standing Committees: Privileges and General Purposes, of which all Aldermen are members. By convention the retirement age for Aldermen is 70, reflecting an historic link with the Magistracy.
39. **The Livery**, acting through Common Hall, consists of the Livery¹¹ of the 110 City Livery Companies. Originally attendance at Common Hall was open to all Freemen, but was limited to the Livery in 1475. The current Common Hall register of voters contains 25,949 names.
40. **The Lord Mayor** is the first Citizen of the City, and in the Square Mile subordinate only to the Sovereign. He or she presides over the Court of Common Council, the Court of Aldermen, and Common Hall. The Lord Mayor is a major player on the national and

¹¹ Liverymen and Liverywomen are a level above that of Freemen and Freewomen, by decision of the Court of their Company. They are so called because they are "clothed" upon joining the Livery, originally with a distinctive robe which denoted the trade or craft of that Company. Until the Reform Act of 1832 the Livery elected the four Members of Parliament for the City of London.

international stage, promoting the interest and standing of the City as a world centre of financial and professional business services. He or she has a significant ambassadorial role, taking the City's case worldwide to governments, businesses and influencers of all sorts. I consider the role further in Part 6.

41. The Lord Mayor is assisted by the **Sheriffs** who are, like the Lord Mayor, elected every year by the Livery at Common Hall. One Sheriff is the "Aldermanic Sheriff" who is an elected Alderman, and one is a "non-Aldermanic Sheriff".¹²
42. The City is organised into sub-divisions called **Wards**, which are listed in Appendix C, together with the number of Common Councillors elected for each Ward. As noted above, one Alderman is elected for each Ward.
43. The original number of 24 Wards was increased by the division of Farringdon into two Wards in 1394 and the addition of Bridge Ward Without in 1550. The number now stands at 25. **Wardmotes**, presided over by the Alderman for that Ward, are held annually and provide an opportunity for voters to question their local Members. Every fourth year the Wardmote is also the occasion for the election of Members of the Common Council.

The History

44. No examination of the Corporation and its governance can ignore the extraordinary historical tapestry which has led to the 21st-Century Corporation. By Charter of 1067 William the Conqueror (William I if you prefer) confirmed the rights and privileges enjoyed by the Citizens of London under Edward the Confessor. Their unification into a commune or corporation had Royal approval in 1191 and led in 1189 to the appointment of a Mayor as their presiding officer. The 1215 Magna Carta confirmed all the ancient liberties and free customs of the City.¹³
45. The Sheriffs (successors of the pre-Conquest portreeves) were by a Charter of 1199 to be elected by the Citizens of London.

¹² There are occasionally two Aldermanic Sheriffs.

¹³ Clause IX: *Civitas Londinie habeat omnes antiquas libertates et liberas consuetudines suas.*

46. By 1346 a recognisable authority of Mayor, Aldermen and Council had emerged. It had already (in 1341, confirmed by Parliament in 1377) secured the power to amend its own constitution.

My review of these elements

Wards

47. I have been urged to recommend a radical reshaping of the Ward structure, combining Wards to create divisions roughly similar in size (and, of course, just as energetically urged to do no such thing). The question to be asked is: what would that reshaping actually achieve?
48. Although, as I noted in paragraph 43, there has been modest adjustment of the Wards over the centuries, I am reluctant to recommend interference with a structure with which most people are content, and which has the patina of long usage.
49. Accordingly, **I recommend that there should be no change in the Ward structure.** Ward Committees of Common Council, on the other hand, are a different matter, and I return to them in paragraph 270.

The Court of Common Council and the Court of Aldermen

50. Arguments have been deployed in favour of dissolving the Court of Aldermen. If they are part of the Court of Common Council, so the case runs, why should there be any distinction? Again, the examination question is: what would be achieved?
51. The Court of Aldermen has its own particular roles, especially in proposing candidates for the offices of Lord Mayor and Sheriffs. As a Court containing a number of former Lord Mayors, the Court of Aldermen is a resource of experience and expertise for the Corporation as a whole.
52. It is also an “alternative voice” which would not be heard were Aldermen to be simply Members of Common Council and not Members of their own Court.
53. I have considered whether there might be merit in building upon the different existences of the Court of Common Council and the Court of Aldermen, for example by introducing a formal bicameralism,

perhaps in considering Acts of Common Council. I conclude that this would introduce a procedural complexity to no good purpose.

54. I therefore **recommend that there should be no change in the separate existence of the Court of Common Council and the Court of Aldermen, nor in their relationship one to the other.**¹⁴

The Livery

55. Even though I am a Liveryman, and a Great Twelve Past Master, I cannot help concluding that in some respects the role of the Livery directly *in the corporate governance* of the City has been a little oversold. For example, and speaking from experience, Members of the Livery are largely passive participants at the essentially theatrical occasions at which the Lord Mayor and Sheriffs¹⁵ are elected. **I therefore recommend no change in the mainly symbolic role of the Livery acting through Common Hall.** I return to the matter of the election, or I would rather say selection, of the Lord Mayor and Sheriffs in Part 6.
56. The broader role of the Livery is another matter entirely. The role of the Livery Companies in educational and charitable activity is centuries old, but its range and reach has never been greater, and the work of the Companies is a huge asset for the City. Not only do their schools and academies educate and care for many thousands of young people, but their almshouses shelter and support the elderly and vulnerable, and their charities reach into every part of life where charitable giving can affect social cohesion, quality of life, wellbeing and opportunities.
57. The way in which the Livery Companies responded to the COVID-19 pandemic was emblematic of their approach: from providing meals for health and other key workers (an initiative in which 31 Companies were involved) to their schools and academies making personal protective equipment (PPE) on a large scale, despite the operational challenges imposed by the pandemic. In addition, the Companies provided financial and other support through their charities to a range of people affected by the pandemic.

¹⁴ I note that this was not the view of the 1854 Royal Commission, which recommended the abolition of the Court of Aldermen: *Report of the Commissioners appointed to inquire into the state of the Corporation of London, 1854*, page xii. The formal absorption of the Court of Aldermen into the Court of Common Council would probably require the authorisation of legislation, or a Royal Charter.

¹⁵ And certain other Officers.

58. Livery Companies are rightly proud of their independence, but I expect that this sort of collective effort will have a greater role in the future life of the City and more widely. The Pan-Livery Initiative, developed some three years ago as a move in this direction, has the potential to play a larger part; and the Livery Committee¹⁶ may need to play a more active role in linking the Livery more closely with the wider endeavours of the City.

¹⁶ The Livery Committee is a Committee of Common Hall rather than of the Court of Common Council. I have taken it to lie outside the scope of my Review.

3

The City which the Corporation serves

Demography

59. From the 16th century to the middle of the 19th century the population of the City was fairly constant at around 125,000.¹⁷ Changes in patterns of industry and retail distribution, and improvements in affordable transport, principally the railway boom, meant that commuting into the City became an ever more practical option.
60. So the commuting population continued to grow, while the residential population became minuscule by comparison. The figures which follow are of course pre-pandemic, but illustrate the character of the City up to March this year.
61. The residential population stands at about 7,500¹⁸; there are 7,137 electors on the electoral register for the City.¹⁹
62. The City accounted for 522,000 jobs, or 10% of London's total workforce, and 1 in 59 of all workers in Great Britain.²⁰ Financial, professional and business services were the largest employers in the City, employing 374,000 people. "Tech services"²¹ was the fastest growing sector, and in 2018 grew by 11% in terms of total employment.
63. The workforce in the City was young – 61% aged between 22 and 39; highly skilled – 70% employed in highly-skilled jobs²². 28% were of black, Asian or minority ethnic origin.²³ 61% of City workers were UK-born; 15% came from the EEA, and 24% from the rest of the world.²⁴

¹⁷ In 1801 the population was 128,833; and in 1851, 129,128. See Report of the 1854 Royal Commission, page vii.

¹⁸ *Corporate Plan 2018-2023*.

¹⁹ Report for the Policy and Resources Committee, 9 July 2020, *COVID-19 implications – possible postponement of the City Wide Elections in March 2021*, paragraph 14.

²⁰ Corporation website, January 2020.

²¹ Information and communication.

²² Professional or technical occupations, or managers and directors. Source: Annual Population Survey, Workplace Analysis, 2019.

²³ ONS 2018 figure, published 2019.

²⁴ Corporation website, January 2020.

64. The City's contribution to the economy is very significant, amounting to £69 billion in gross value added in 2018, or 15% of the figure for London as a whole, and 4% of the figure for the UK.
65. In 2019 there were 23,890 businesses in the City. 99% of those were SMEs; the apparent disparity is accounted for by the large firms being very large – 280 businesses with more than 250 employees accounted for 50% of the City's jobs.²⁵

COVID-19

The pandemic

66. The coronavirus pandemic has affected every part of our national life, fundamentally changing patterns of work and imposing immense economic and financial strains.
67. The Corporation has played its part in responding to the crisis. The Town Clerk and Chief Executive chaired the Strategic Co-ordination Group (SCG) charged with the London-wide response, and Officers at all levels have been involved in supporting the SCG and its Transition Management Group successor from 13th July, as well as the over-arching London Recovery Board, which brings together the Mayor of London and the London Councils.
68. Members, led by the Chair of Policy and Resources, have been active in the City's response, and Ward Members have played their part in supporting residential communities under strain as a result of the sweeping restrictions.

The effects

69. The future is uncertain to say the least, in terms of infection rates, the geographical distribution of new cases, and Government restrictions aimed at containing the pandemic.
70. The Corporation has already suffered considerably. The businesses for which it is directly responsible – notably the Barbican Centre, the three fee-paying schools, the Guildhall School of Music and Drama, the wholesale food markets, and the Museum of London²⁶ have been severely affected. The loss of income will have a significant effect upon the Corporation's budget.

²⁵ *ibid.*

²⁶ A joint responsibility with the Greater London Authority.

71. In the longer term there will be some effect – it is probably too early to predict how severe – on the Corporation’s rental income of some £100M a year on a property investment portfolio of about £4 billion.
72. In turn, this may impact upon the major capital projects to which the Corporation is committed: a new Courts building, a new integrated food market, a new building for the Museum of London in Smithfield General Market, and – perhaps more speculatively – a new concert hall.
73. The Corporation’s wider responsibilities, supporting and enhancing the City as a pre-eminent world centre of financial, professional and business services, will be even more challenging. The working population of the City fell by as much as 90% during the pandemic, and there will need to be a major effort to get businesses operating as normally as possible in the Square Mile, and to get those businesses to encourage their workers to return.
74. Expectations of future working patterns can be no more than speculative, and will remain so for some time. One possibility is that, even if there are large-scale returns to business premises, there will still be significant working from home, perhaps for one or two days a week. The reliability and capability of the technology is likely to improve markedly. But as convenient and necessary as remote working has been for many, it has also reminded us of the essential need for human interaction in person rather than on a screen.
75. The City has remarkable resilience and adaptability, and confidence in its response to the pandemic is encouraging. A poll carried out between 5th and 10th July 2020 by FTI Consulting for the Corporation tested the intentions of 506 leading global investors with €850 billion of assets under management. It found that 99% were keen to invest in the City, with 79% actively doing so at the moment.
76. In the poll – the first of its kind since the COVID-19 outbreak – the City scored highly in terms of global connectivity and as a hub for business, and for its built environment and fostering of innovation. It was also favourably viewed (by 85% of the businesses polled) by comparison with other major financial centres in its ability to instil confidence in employees to return to work when the pandemic has been contained.

77. However, 72% of respondents wanted to see the development of a plan to prevent a recurrence of pandemic disease in order for them to look more favourably upon the City in their investment decisions. The Corporation is already addressing this, but achieving it will be challenging.
- 78. In the near and medium term the demands which the pandemic will continue to place upon the Corporation's governance, in terms of the need for clear-sighted analysis and decisive action, will be considerable.**
- 79. Brexit, on whatever departure (and regulatory) terms are finally agreed, is a further area of uncertainty. So too is the political leadership of the United States, and the powerful but enigmatic role played by China. Even so soon after a General Election there are uncertainties at home: "a mood of radical, disruptive thinking at the centre".²⁷**
- 80. My recommendations would have been radical had the pandemic not occurred, but the challenges which the Corporation faces and will face, and the need for swift and effective decision-making, have confirmed me in a radical approach to governance reform.**

²⁷ *Financial and professional services: strengthening the effectiveness of the City of London Corporation*; a Review by Sir Simon Fraser and Flint Global [subsequently, Fraser Report], Introduction.

4

The Corporation's strengths and weaknesses

Strengths

Reach and resonance

81. Detractors of the Corporation and the City are apt to characterise it simply as “a small, rich borough”. Nothing could be further from the truth. The City is a unique and powerful player on the world stage. The Lord Mayor is not only an ambassador but a “door-opener” to the highest levels of business and government all over the world, and the Chair of Policy and Resources is also a key figure. People who matter know about the City and respect it.

The Corporation's people

82. The Common Councillors, and the Aldermen, are people among whom there is evident love for and loyalty to the City and its success. There is also a powerful ethos of public service. This is drawn upon in arguments against Members being paid; that they give their services voluntarily. This has some merit; but the downside is that there are implications for the perception of the Corporation, and especially of its diversity and inclusiveness.²⁸

83. The Corporation's Members possess an enviable resource of expertise, ability and skills to put at the service of the City. But the Corporation could be very much more effective in using this resource to the City's benefit, as I consider in Part 7.

84. In my experience the City's officials are of a very high quality: motivated, expert and well led. Working for the Corporation of the City of London is seen as a good career move by many in public service, and this reputation is a valuable asset.

The long-term view

85. During its long history, the City has shown itself good at taking the long-term view; for example, in making financial, charitable and educational dispositions designed to last for centuries. This is a great strength, and lends to the Corporation's affairs a grounding and proportionality which is welcome. But it as easily gives rise to a false

²⁸ See paragraphs 129ff.

sense of security. As I show in this Report, the long-term view needs to be combined with the innovation, speed and agility necessary to address some pressing challenges. I strongly endorse Sir Simon Fraser’s judgement that “The Corporation’s history and tradition are a strength, but it is now essential and urgent to balance this with a more forward-looking image, energy and ethos”.²⁹

Convening power

86. The City has an extraordinary ability to bring the prominent and powerful together. This is for a number of reasons: perceived mutual benefit; the making of connections; the gathering of intelligence. But this convening power is lifted to another plane by the grandeur and pageantry which it is able to deploy. The Royal Commission of 1854 spoke of “decent hospitality and splendour”³⁰ and this remains an important element in the City’s ability to convene and impress. In addition, the conferring of Freedom by Special Nomination, or as Honorary Freedom, is a mark of high distinction.

Agglomeration (“clustering”)

87. This inelegantly but effectively describes the City’s huge geographical advantage. Key people and key institutions are either within the Square Mile, or not far away. The pandemic has diluted this a little, and it is to be hoped only temporarily, but it is a powerful factor in the City’s effectiveness.

Richness of texture

88. The Corporation is responsible for a bewildering extent and variety of activities. It delivers cultural, environmental, planning, and highways services; children’s services and adult social care; public health; and housing. But it is also responsible for a major Courts complex; for the maintenance of five bridges; for Port of London port health; for 11,000 acres of open space and parks in and around London; for three wholesale markets; for three independent secondary schools and a maintained primary school; for ten academies;³¹ for one of the world’s leading conservatoires and one of its great cultural centres; for a library, art gallery, and archives; and for its own police force.

²⁹ Fraser Report, page 7.

³⁰ Page xxxii.

³¹ Two are co-sponsored: The City Academy, Hackney, is co-sponsored with KPMG and the City of London Academy Islington is co-sponsored with City University.

89. In one sense this recalls the famous observation of the 1960 Royal Commission on Local Government: “If we were to be strictly logical we should recommend the amalgamation of the City and Westminster. But logic has its limits and the position of the City lies outside them”.³² However, it also indicates the extraordinary opportunities for business and educational cross-fertilisation; for enhancing the experiences of all for whom the Corporation is responsible or who come into contact with the City; and for demonstrating that the whole is so much more than the sum of the parts.

90. Nevertheless, **the number and variety of activities and responsibilities must prompt the question of whether everything needs to be owned by the Corporation; and, if it does, whether everything needs to be run by the Corporation.** I return to this issue in Part 9.

Weaknesses

The perception of the Corporation

91. However it may be viewed from within, outside perceptions of the Corporation are often not complimentary. It is seen as secretive and lacking transparency, with many of its ways of doing business lamentably out of date. It is too often described as “an old boys’ club”, a reflection upon its diversity in terms of age, sex and ethnic origin. Criticisms of the Corporation’s slowness in decision-taking, lack of effective political co-operation, poor lines of accountability, and undeserved benefits, have real force. **These are all things that the Corporation needs to grip.**

A lack of corporate endeavour

92. This has been an overwhelming impression during my Review. I do not say that Members do not understand the need for it, nor that they do not wish to achieve it. However, it has to be accepted that developing and delivering resilient and effective corporate policy at any time, let alone in the present difficulties, requires muscular and disciplined organisation of business.

³² Cmnd. 1164, October 1960, paragraph 935.

93. In my discussion with the Resource Allocation Sub-Committee I described it as “an obsession with the clockwork to the exclusion of actually using the clock to tell the time”.

94. There are many reasons for this, and I explore some of them in more detail below.

Slow transaction of business

95. It used to be said of Spain under the rule of Philip II that “if Death came from Madrid, we would be immortal.” The complexity and slowness of decision-making within the Corporation is extraordinary. It is not too much to describe it as sclerotic.

Multiplicity of Committees

96. There are some 130 Committees, Sub-Committees and similar bodies listed on the Corporation’s website.³³ Some of these are so specialised or single-purpose as to be insulated from the broader work of the Corporation, but a significant number are not, and clearly feel that they have a role to play in most types of Corporation business.

97. In Part 7 of this Report I recommend a wholesale reorganisation of Committees to align their identity and structures more closely to the Corporation’s needs. I also deal with numbers of Members, terms of office of Members and Chairs, and power to appoint sub-committees, as well as some other issues.

Multiple involvement of Committees

98. A practice has grown up of referring business to multiple committees for information – and even to multiple committees for decision. Committees may believe that an item sent to them for information actually engages their substantive responsibilities, and so start contributing to a decision. This obscures the picture further.

99. An inevitable result is to slow down or even stop the process of consideration. The extent of “multiple engagement” is alarming – I have come across items of business which appeared on the agendas of no fewer than 15 Committees or Sub-Committees.

100. A further result is that Members may be unclear about what their role is in respect of a particular item of business: are they

³³ See Appendix E.

deciding it, contributing to a decision or simply noting it? There is a limit to how far Committee staffs can guide Members if they are getting little help from a creaking structure.

101. A casualty of this way of doing business is of course accountability, both in terms of the Court of Common Council having a clear picture of the genesis of a proposal, and who is really responsible for it, and for the public to be able to follow the process of coming to the decision.

Sequencing of Committees

102. Another problem arises when the programmes of Committees concerned do not mesh. Proposal X may be thought to need clearance from Committees A, B and C. A is meeting this month, but B not till next month when it has too heavy an agenda to be sure of dealing with the proposal, and C should have dealt with it this month but was inoperative. Proposal X is thus already running into the sand.
103. In addition, the period of time covered by multiple consideration means that reports for Committees need to be written much further in advance than should be necessary: a factor in the overall slowness of the process.
104. The simplification I recommend in Part 7 should dramatically reduce multiple engagement and problems of sequencing.

Silos

105. If corporate policies are to be developed and delivered effectively, Committees and Members need a common understanding of, and support for, what is to be achieved. This may require compromises in the interests of the larger aspiration, but above all a shared awareness and a willingness to co-operate.
106. I have come across a number of instances where this has been emphatically not the case, and even where there has been an unwillingness to share information with other Committees. This is another factor in poor and slow decision-making.
107. One phenomenon observed by many is that of Members who are keen to espouse some pet project, and are advocates for it on the subject Committee concerned. But on another Committee – perhaps with a finance function, the same Members become hawkish about

such projects. This too can make business difficult to handle effectively.

108. I was surprised to find that Departments did not see each others' business plans in draft in order to co-ordinate them. **This needs to change.**
109. In this connection, I was also surprised to find that there is no Chief Operating Officer among the senior Officers. They each have a Departmental responsibility. The Town Clerk and Chief Executive is the only senior individual who can look across the organisation and its collective operation; but his job is very demanding and heavily loaded.
110. A Chief Operating Officer, dealing with cross-cutting issues, could also be charged with integration of policy advice and – vitally – fostering corporate behaviours. He or she would be in the central staff, reporting to the Town Clerk and Chief Executive, but would also have a close relationship with the Chair of Policy and Resources, one of whose aims is more co-ordinated and corporate behaviour. **I so recommend.**

A non-party Court

111. As I noted in paragraph 31, the vast majority of Members of the Court of Common Council, whatever their personal political standpoints, sit as independents. I have heard it described as “an organisation run by 125 individuals”.
112. This means that there are no Whips. Enoch Powell once said that “a Parliament without Whips is like a city without sewers”. Although Whips in democratic institutions, over many decades, have had a poor press, their operation makes it easier to identify issues, coalesce support, and deliver outcomes, which is valuable.
113. But an inevitable result of individual independence in the Court of Common Council is a level of unpredictability, and of shifting coalitions of support, which can make it hard to deliver outcomes. In turn this can mean something of a hand-to-mouth existence, with a loss of certainty which can be damaging. This is not to devalue independence of view in any way, and I have no easy answer to suggest. It may be that the fostering of the sense of corporate endeavour I mentioned earlier will tend to change the culture.

114. There is one possible advantage of majority independence which I should record for the sake of completeness. It is no bad thing to have a Court of Common Council which does not bear a party label which may from time to time differ from that of the government of the day.

The local/national tension

115. Members of course have a duty to represent their constituents. But the tiny size of those constituencies³⁴ (their Wards) means that very small pressure groups may have a disproportionate effect. And a tension arises when a major proposal which, it may be argued, could be to the great benefit of the City, and of UKplc, is opposed on the grounds that a very small number of constituents might not like it. Again, there are no easy answers. Members must use their judgement; but it is a tension that is worth identifying. Again, a more corporate approach should help to set matters in proportion.

³⁴ At the last elections in 2017 a total of 4,779 votes were cast. This includes business votes.

5

The Court of Common Council and Proceedings

Number of Common Councillors

116. Over the centuries, the number of Common Councillors (previously “Common Councilmen”) has broadly reflected the population of the City. In 1285 it was 40, and 96 a century later. By 1826 it had reached 240, but was reduced to 206 and then to 159 by 1964, and 130 as a result of decisions in 1973. As part of the negotiations on the Bill for the City of London (Ward Elections) Act 2002 the number was further reduced to 100.
117. Unsurprisingly, there is a wide range of views on future numbers. On the one hand, having 100 Common Councillors for so small an electoral base is seen as bizarre, and contributing to a negative view of the Corporation.
118. On the other side of the argument, it is said that the number of activities for which the Corporation has to find participants and representatives justifies having so many Common Councillors.
119. Concerns have been expressed to me that a change in numbers now might risk destabilising that settlement. I am not wholly convinced by this, but I accept that putting the issue into play at the wrong time might have unwelcome results, even though the change can be effected by Act of Common Council and does not require other legislation.
120. My conclusion is that the question is asked the wrong way round: it is not simply “how many Common Councillors should we have” but “how many do we need to operate the institution effectively?”
121. The restructuring of the Committee system, including the dramatic reduction in the panoply of Sub Committees, Consultative Groups and Working Groups which I recommend, will mean that significantly fewer Common Councillors are needed to operate it.
122. But that of course requires the Corporation to accept my recommendations. **Accordingly, until that structure is settled for**

the longer term there is little point in taking a view on the number of Common Councillors. If there is a marked reduction in future, I expect that to be driven by those structural considerations. As to the democratic mandate, even a very much smaller number of Common Councillors will be sufficient to discharge it.

123. I see the number of Aldermen as a different issue. If the number of Common Councillors is reduced then the Aldermen will *pro rata* form a larger proportion of the Court of Common Council. However, they are elected one to a Ward, and if the Wards are to remain unchanged then there would have to be some combination of Wards for electoral purposes. But I do not see this issue as relevant at the moment.

The Franchise

124. The unique franchise applying to elections to the Court of Common Council is prescribed by the City of London (Ward Elections) Act 2002. The Act defines a “qualifying body” – in effect, an employer within the Square Mile. That qualifying body may appoint voters: one for a workforce of up to five, plus one for every five thereafter, up to 50. For a workforce larger than 50, a voter may be appointed for each subsequent 50. A qualifying body must ensure that so far as possible its appointments reflect the composition of the workforce. There is a “requirement of connection” by employment within the City, either for the previous year, or for an aggregate of five years (or ten years if the voter has worked for more than one employer).

125. At the next elections, probably now in March 2022 as a result of the pandemic, the electorate is likely to be a little more than 20,000, split 1/3 residents and 2/3 business. In 2017 144 candidates contested 100 Common Council seats; for 26 seats a candidate was returned unopposed. Electorates in each Ward ranged from 237 voters to 3,031 voters.

126. This system has its determined critics: on the basis of the unacceptability of *appointing* voters in any circumstances; on some odd results of the eligibility rules (for example, all the members of a barristers’ chambers qualifying, but a relatively low proportion of the employees of a large company); and on the extent to which employers in the Square Mile involve their employees with the system.

127. The Corporation already makes efforts to contact employers to improve participation in the electoral process, and it may be that more could be done in this respect. It has been suggested to me that effective participation could be made a condition of Corporation leases on premises occupied by employers, and **this would be worth following up when occasion offers.**
128. However so far as the franchise itself is concerned – and I recognise that this may be a disappointment to some – I make no recommendations. I said in paragraph 25 that I was avoiding recommendations that would involve primary legislation. As I remember very well the events surrounding the passage of the Bill for the 2002 Act, I do not think that this is something upon which the Corporation would be keen to embark.

Diversity

129. I noted in paragraph 91 that a perceived lack of diversity is a reputational issue for the Corporation.
130. “Diversity” is too often seen only in terms of sex and ethnicity, but it is important to remember that the Equality Act 2010 prescribes nine “protected characteristics” to the treatment of which the Act applies. They are: age, disability, gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief, sex, and sexual orientation.³⁵
131. However, in terms of public perception, sex and ethnicity are the most evident elements of diversity. Of Common Councillors, 26% are women and some 7% are BAME; on the Court of Aldermen the figures are 16% and some 4% respectively.
132. There is clearly some way to go for the Court of Common Council more closely to reflect the City community which it serves. Of workers in the City, 34% are women (although for the country at large, the figure is 51%³⁶). As I noted in paragraph 63, 28% of the City’s workforce are BAME.³⁷ The Corporation is aiming for 30% of candidates at the next elections³⁸ to be women, and 15% to be BAME.

³⁵ Equality Act 2010, section 4.

³⁶ From the 2011 Census: the latest figures available from gov.uk

³⁷ 2018 figure.

³⁸ As already noted, these may be delayed from 2021 to 2022.

133. So far as Officers are concerned, the Corporation is aiming for 45% of senior positions to be occupied by women by 2023.
134. There are of course ways in which an institution can become more diverse as well as by reference to the protected characteristics. More younger people on the Court (recalling that nearly two-thirds of City workers are aged between 22 and 39), and more diversity of background, would be to the benefit of the Corporation.
135. Easier said than done, of course. The encouragement of colleagues and influencers, the value of the role that the Corporation is seen to fulfil, and a modern and inclusive way of doing business, will all have a part to play, as would a system of mentors to support and brief new Members.
136. So too will Corporation working patterns that fit easily with day jobs. Senior people, even though their jobs may be demanding, tend to have some control over their schedules. Those who are less senior, or who are limited by shifts or opening hours, may find it harder to do so.
137. The timing of Committees is a good example. At the moment they tend to be grouped in mid- to late morning, or mid-afternoon. Earlier morning meetings, or early evening meetings, might be more attractive to those who are limited by working or caring responsibilities. And early evening meetings are in any event sensible for meetings which may affect residents.
138. The Corporation is to be commended on setting up the Tackling Racism Taskforce, addressing one aspect of diversity – but a particularly pressing one in current circumstances; and I was grateful for a useful meeting with the Co-Chairs, Andrien Meyers and Caroline Addy.
139. It has been suggested to me that the Corporation is perhaps missing a trick in not ensuring that those taking part in its outward-facing activities need to include those who by their presence can demonstrate diversity within the Corporation. **I think this is a good point, and should be pursued.**
140. **Whatever approaches are taken, there is one respect in which the Corporation needs to display best practice, and that is professional training in diversity being undertaken and**

periodically refreshed. This is already required of Officers.³⁹ For Members, without Whips to deliver, I recommend that appointment to any Committee should be strictly conditional on compliance.

141. For the sake of completeness I should mention the question of age. I am aware of criticisms that Common Councillors stay on the Court for too long (and the conventional retirement age for Aldermen is 70). However, as age is one of the protected characteristics I make no comment.

Pay for Members

142. The question of whether or not Members should be paid has been a subject of debate for some time. In favour of payment it is argued that it might encourage a wider range of people to stand for election, especially those in employment rather than retired; and that the payment of an allowance is normal in local authorities. Against payment it is said that it would be against the Corporation's ethos of voluntary service; and that a parallel with local authorities is misplaced.

143. In 2006 a Members' Financial Loss Scheme (FLS) was introduced. This scheme, which paralleled that applicable to the Magistracy, was essentially to provide that those who suffered financial loss as a direct result of their civic duties should be compensated to some degree. It had disadvantages: there was an element of embarrassment in making application; and it was seen as a hardship scheme rather than as an enabler. As fewer than ten Members applied to the scheme in the 14 years of its existence, it was doubtful whether it was fulfilling its intended purpose.

144. A proposal has now been developed⁴⁰ to introduce an annual flat-rate allowance, based on the Corporation's rate for inner-London weighting, presently £6,710.04. Expenses for travel, subsistence and caring responsibilities would be retained; a payment of £500 to meet the cost of formal clothing would be payable following election or re-election; and reasonable costs of the hire of premises for Ward

³⁹ Mandatory courses for Officers are: Equality Analysis (for managers); Unconscious Bias; Equality Awareness. Additional training which is not mandatory but which is highly recommended: Transgender Awareness; and "Equally Yours" (an introductory course).

⁴⁰ By the Members' Financial Assistance Working Party, set up by the Policy and Resources Committee in March 2018.

surgeries would be met. Tax and National Insurance contributions on benefits in kind and the clothing allowance would in principle be met by the Corporation. Members would not be required to take the allowances if they did not wish to do so.

145. This proposal was approved by the Policy and Resources Committee, and is likely to be submitted to the Court of Common Council in the Autumn. I think it may increase the diversity which I have advocated, and so I commend it. At this stage I make no alternative suggestion.

Pay for Chairs

146. Chairs of active and heavily loaded Committees take on a great deal of work for no remuneration. The Chair of the Policy and Resources Committee is an especially notable example. I found no evidence, however, that the lack of pay for Chairs is proving a deterrent; but this may be a matter to be reconsidered at some stage.

Standing Orders of Common Council

General

147. The Standing Orders of the Court of Common Council unsurprisingly bear signs of having accreted over a long period. They are in places over-drafted, and have some duplications and superfluties (as well as an endemic confusion between “will” and “shall”). **The Standing Orders would benefit from a thorough housekeeping/drafting exercise. I should be happy to undertake this at a later stage should the Corporation wish it.**

Standing Orders as they apply to proceedings

148. In this section I consider the Standing Orders (SOs) *seriatim*, and make suggestions for substantive amendment. This does not include the drafting exercise referred to above. **I do not include all the amendments to SOs relating to Committees, because they will require substantial amendment as a result of my recommendations on the Committee structure in Part 7.**

149. The Ballots provided for under **SO 10** take place in secret. I do not think that this is appropriate, and it is at odds with the openness that the Corporation should be seeking; its alleged secretiveness is a frequent ground of criticism. I understand the view that a secret ballot

removes political pressure,⁴¹ but it also allows groups to operate below the radar and not to take responsibility for their group activity. **I therefore recommend that SO 10 be amended to provide for open and recorded ballots, just as Divisions under SO 14 are open and recorded.**

150. **SO 12.2** requires that, with certain exceptions, Notices of Motion shall be signed by not fewer than 10 Members. It falls to be considered whether this provision should be in order to demonstrate minimum support – a bar that must be surmounted – or the use of “at least ten” should properly allow the gathering of a great many signatures as a means of advocacy. I do not offer a view, but it may be worth giving the matter thought. “Not less and not more than ten” would be an easy fix – but perhaps with the latter figure rather larger to prevent sabotage by the withdrawal of names.
151. I believe **SO 12.5** to be defective – or perhaps misdirected – in that it allows a Motion actually under debate to be withdrawn by the Mover and Seconder at any time. However, by that stage the Motion is in the possession of the Court, and **I recommend that the permission of the Court should be required for its withdrawal.**
152. Having observed meetings of the Court, I suggest that the provisions of **SO 13** relating to questions might be tightened up. First, in asking the question there is a tendency for the questioner to be discursive, in effect making a speech. **I recommend that the text of each oral question should be on the Agenda, so that it does not have to be put orally.** The questioner, of course, has the chance to expand – within limits – in asking the supplementary. Public notice of the questions to be asked given in that way would be a small but useful improvement in transparency.
153. **SO 13.5**, allowing Members to ask no more than three questions at any meeting of the Court, **seems to me to be unduly generous. One would surely be enough, especially as the SO limit excludes supplementaries.**
154. Similarly, there is an argument for **changing the provision in SO 13.6 to allow six Members to ask one supplementary each**

⁴¹ I am well aware of the provisions in the House of Commons for secret ballots for posts including the Speaker (SO No 1B), the Deputy Speakers (SO No 2A) and Chairs of certain Select Committees (SO No 122B) – indeed, I was involved in their introduction. But those provisions operate in a heavily Whipped environment, and the considerations are very different.

rather than three Members each being given a ration of two, and might make better use of the 40 minutes allowed.

155. The provision in **SO 13.10** for questions not dealt with at one meeting to be deferred to the next is a recipe for making the Court's agenda stale. **The default setting should be that a question not answered orally is responded to in writing.** If the Member wishes, he or she can of course withdraw the question for that meeting and resubmit it for the next meeting – possibly in an updated form.
156. As throughout this Report I stress the need for the Court and its Committees to engage with the corporate agenda and aims, it will not be surprising **that I recommend a more generous allowance of questions – perhaps six – under SO 13.11**, in which Members are able to question the Chair of the Policy and Resources Committee on the Chair's statement about “the key policy and strategic issues affecting the City and the work of the City of London Corporation”.
157. SO 26: “Each Committee will have Terms of Reference approved by the Court” seems pointless. Was its motivation the possibility that the Court might approve the establishment of a Committee with no terms of reference? That seems highly unlikely, and in any event the matter is in the hands of the Court. **I recommend that SO 26 is repealed.**
158. SO 28 deals with a “Joint Committee” but appears misconceived. I take it from the text that this was intended to refer to joint meetings of two pre-existing Committees rather than the creation of a new body, but that is not what the SO says. **It should be amended to refer to joint meetings.**
159. My observations on secret ballots under SO 10 apply with equal force to **SOs 29.6, 30.7 and 30.8. All should be amended to provide for open and recorded ballots.**
160. **SO 36** deals with quorum but, I suggest, in an over-complicated way. Rather than an annual setting of quorums by the Court, **there should be a general quorum provision** which can be notwithstanding by Court decision should there be particular factors relating to one Committee. A norm might be a quorum of one-third of the Members (rounding up or down as necessary).

161. I note that the quorum for all Sub-Committees is set by SO 27.2, at three Members, but strangely without any reference to the number of Members on the Sub-Committee concerned. **A general quorum provision (again, perhaps one-third) should apply also to Sub-Committees, and a version of the Committee quorum should apply to joint meetings of Committees, with both, or all, participating Committees required to be quorate for the meeting to be quorate.**
162. I believe that the drafting (or intent) of **SO 38**, relating to decisions in Committee, is open to criticism. If there is a vote, the only names recorded are those of Members “dissenting from a majority decision”. This means that a Member who is recorded as attending the meeting, but who may have left by the time a vote is taken, is deduced to be in the majority, which may not be the case. **The names of all Members voting in Divisions in Committee should be recorded.**
163. In Committee (and certainly in the smaller Committees which I recommend) **it should be possible for a single Member to call for a Division, and to have the names of those voting to be recorded.**⁴² It is important to allow a recorded voice to a minority, however small.
164. I deal with delegations in Part 7 of this Report. If my recommendations are accepted, amendment of the writing-off limits in **SO 52** will be needed.
165. The move to paperless working which I recommend below will require the repeal of **SOs 9.1 and 17.1 and the amendment of SOs 20.1 and 46.2.** I take it that by an *eiusdem generis* interpretation the provisions relating to “papers being sent” as in **SOs 6.2 and 34.4** will apply unamended to electronic copy, as will the references to “copy” and the rights of access to “documents” in **SO 45.**

Going paperless

166. The Corporation’s Corporate Plan 2018-23 has as its Outcome 9:
 “We are digitally and physically well-connected and responsive. We will:
- champion and facilitate a world-leading digital experience.

⁴² I note that the Policy and Resources Committee rejected this proposed change on 6 July 2017.

- b. develop and trial smart innovations...”

167. The Corporation is responsible for the Square Mile in which digital information is the norm, and the speed of electronic communication is taken for granted.

168. **It may be initially uncomfortable for some, but I do not see how entirely paperless Corporation business can be delayed any longer.** The advantages include:

- significant savings;
- speed of communication of information and working documents;
- an end to the routine circulation of expensively printed Committee documents “for information”. In 2018/19 *over 2,000 items* taken in Committee and Sub-Committee were simply for information. All the documents can be made available via a portal, and links inserted in reports where necessary;
- a clear public demonstration of the Corporation’s green credentials (the 2018-23 Corporate Plan champions sustainability and promises environmental stewardship in use of resources); and
- bringing greater credibility to the Corporation’s engagement with players for whom paperless is already the norm.

169. Careful preparation will of course be needed, in the procurement of some of the very capable document-handling software that is available, and proper training.

170. **But when the Corporation is ready to go it must be decisive. If the last printed circulation is on a Friday then on Monday the Corporation must be paperless. If going paperless is still a matter of individual choice then it will fail, and the advantages I outlined above will not be secured.**

171. I leave it to the Corporation to decide whether this Report should be made available in hard copy, or only electronically.
172. There are other ways in which the use of technology can be extended. From 4th April 2020 local authorities have been able to hold remote meetings under The Local Authorities and Police and Crime Panels (Coronavirus)(Flexibility of Local Authority and Police and Crime Panel Meetings)(England and Wales) Regulations 2020⁴³. At present the provisions apply until 7th May 2021, but that will obviously be dependent upon the containment of the pandemic.
173. These Regulations will apply to relevant parts of the Corporation's activities, but of course it will be open to the Corporation to have equivalent provision for its other activities if it wishes. This might be helpful for meetings involving people outside the Corporation.
174. Whatever the future of remote participation, **a sensible use of video technology would be to stream all meetings of Corporation committees and Sub-Committees for access within Guildhall (or webcast more widely, as preferred)**. Officers could then monitor the progress of Committee business and attend for items for which they were needed, rather than having to be present for an entire session, with savings of time and money. I am told that this could be done for a one-off cost of £100,000, with modest annual costs thereafter.

⁴³ S.I., 2020, No 392. See also Local Authorities and Police and Crime Panels (Coronavirus)(Flexibility of Local Authority and Police and Crime Panel Meetings)(England and Wales) (Amendment) Regulations 2020 (S.I., 2020, No. 808.

Committees

Committee not Ward

253. It is important that Members sitting on Committees should remember that as Committee Members their role is not to represent their Wards but to contribute in a dispassionate way to the Committee's deliberations and decisions. I deal with Ward Committees in paragraphs 270 to 272 below.

Ward Committees

270. I can see no argument for the retention of Ward Committees. I have been told that they are desirable because they give new Members a chance to serve on Committees. I suggest that that clearly indicates that Ward Committees are there to provide a role, not to do a job, and I am not convinced.

271. **I therefore recommend the abolition of all the Ward Committees as *Ward Committees*: Finance; Planning and Transportation; Port Health and Environmental Services; Markets; Culture, Heritage and Libraries; and Community and Children's Services;** Where their role survives into the new structure, they should be reconstituted as subject Committees of between 12 and 15 Members.

272. This means that **SO 23 should be repealed and SO 24 amended.**

Governance Review: Member Engagement Sessions
Constitutional Issues: Session 1
10 February 2021

Present

Sheriff Christopher Hayward (in the Chair)	Shravan Joshi
George Abrahams	Alderwoman Susan Langley
Munsur Ali	Oliver Lodge
Rehana Ameer	Deputy Edward Lord
Randall Anderson	Alderman Ian Luder
Doug Barrow	Alderman & Sheriff Professor Michael Mainelli
Deputy John Bennett	Andy Mayer
Peter Bennett	Jeremy Mayhew
Deputy Keith Bottomley	Catherine McGuinness
Deputy Roger Chadwick	Wendy Mead
James de Sausmarez	Deputy Robert Merrett
Karina Dostalova	Deputy Brian Mooney
Simon Duckworth	Benjamin Murphy
Mary Durcan	Deputy Barbara Newman
Alderman Emma Edhem	Graham Packham
John Edwards	Susan Pearson
Helen Fentimen	Judith Pleasance
Sophie Fernandes	Deputy Henry Pollard
Marianne Fredericks	Deputy Elizabeth Rogula
Alderman John Garbutt	John Scott
Alderman Sir Roger Gifford	Oliver Sells
Alderman Alison Gowman	Deputy Dr Giles Shilson
Tracey Graham	Jeremy Simons
Alderman David Graves	Deputy Tom Sleigh
Caroline Haines	Sir Michael Snyder
Stephen Haines	Deputy John Tomlinson
Graeme Harrower	Mark Wheatley
Deputy Tom Hoffman	Deputy Philip Woodhouse
Ann Holmes	Alderman Sir David Wootton
Deputy Wendy Hyde	Dawn Wright
Deputy Jamie Ingham Clark	

Introduction

Sheriff Hayward, in the Chair, opened the meeting and thanked Members for joining today's session. He then introduced the session, setting out the process for Member consultation on relevant aspects of the review, with documents to inform the consultation session having been circulated in advance. Sheriff Hayward then summarised the references and recommendations with Lord Lisvane's review regarding the Corporation's wider existence and the operation of the Court of Common Council.

Recommendations: Members' Comments and Observations

Members then proceeded to debate the various recommendations.

Section 2: The Corporation

- A Member claimed that Lord Lisvane's Report was not objective and started from the position that the City Corporation was overall a good thing. They suggested instead that the 1854 Review was a more suitable report and offered more logical conclusions based upon evidence. In suggesting this, they highlighted a variety of recommendations made in this review which addressed the structure of the Corporation including the method of the Lord Mayor's election being carried out by the Court, the Court of Aldermen being abolished, the number of wards reduced to 12-16 and the abolishment of Common Hall with a reduction in control of the Livery. They argued that whilst these recommendations were not followed at the time, they should now be considered. Another Member highlighted that the City Corporation had changed considerably since then, particularly its membership and role in promoting the City internationally.
- One Member argued that this section of the report suffered from Lord Lisvane's failure to recognise the relationship between the Lord Mayor, the Chair of Policy and Resources, the Court of Aldermen and the Court of Common Council and was deeply divisive.
- Several Members raised the question of whether the ward structure and ward committees should continue in current form and were supportive of an open review of this by all Members.
- Some Members were in favour of amending the number of wards, stating that the current situation was not practical for efficient operation. Others spoke in favour of reviewing the ward boundaries and the number of Members allocated to each ward.
- One Member expressed appreciation for the ward system by arguing there was value in retaining this historic and unique element of the Corporation.
- One Member was supportive of changing the rights of wards to appoint Members to committees as they felt that having committees with numbers in excess of 15 was not sensible for decision making.
- Several Members argued that the Aldermanic system relating to wards was not in need of review, with one Member stating that they were a critical component of the overall decision-making structure.

Section 3: The City the Corporation serves

- Several Members expressed concern over the low number of registered voters within the City with several arguing that this should be a priority in the coming year.
- One Member highlighted that voter registration numbers (both business and residential voters) were previously routinely low but that this may continue to worsen as a result of the pandemic.

- Several Members agreed and added that this problem could pose a threat to the Court's democratic legitimacy. Whilst there was some agreement amongst Members that there was currently a democratic gap, it was suggested that the pursuit of legislative changes could have far-reaching consequences and ramifications for the longevity of the organisation. Consequently, there was general agreement that such matters had to be considered carefully, and in consultation with the Law Officers.
- It was clarified that Policy and Resources Committee were already aware of and addressing the issue of the electoral roll. The Committee previously made a commitment to increase the number and quality of the electoral roll with the appointment of a new postholder to help increase registration.
- Several Members made comments referencing finding a new way of enlisting voters and allowing those who live and/or work in the City the appropriate opportunity to have their views heard. One Member suggested that some of the responsibility to encourage people to vote should fall to Members not just officers.

Section 4: The Corporation's Strengths and Weaknesses

- Regarding streamlining committees, one Member recognised this as a requirement but argued that the breadth of work that the Corporation was involved in was complex and mechanisms and processes should be put in place to enable Members to make informed decisions. It was for this reason that reports provided to committees for information should be retained.
- One Member was in favour of modernising and simplifying processes to allow for more timely decision making, stating that accountability and clarity about lines of decision making should be more concise.
- Another Member agreed and urged the review and subsequent changing of the scheme of delegations to be radical in order to reduce committee decision making time. They added that often Members could become engrossed in minor issues and more flexibility was required.
- Support was expressed for the recommended appointment of a Chief Operating Officer, which was now being implemented through the Target Operating Model (TOM) process.
- A Member felt that some traditions reflected badly on the Court such as the twice annual recognition of newly announced honours for Members. They argued that this should be more understated, and that Members should be outward rather than inward looking.
- Another felt that the Corporation's uniqueness should be celebrated as a strength due to the value in its history.
- Another Member added that there was difficulty in balancing tradition and history with being modern and reflective of current times but that this must be achieved. They felt that the perception of many was that the Corporation was outdated, remaining ancient in its processes. They referenced the Black Lives Matter movement of 2020 and the need for the Corporation to

acknowledge its history in relation to this, but to also reflect on what was no longer relevant and take action, avoiding token or aesthetic gestures.

- Several Members agreed that the City Corporation must focus on the long-term view and the aim for the next 10-20 years. One Member argued that the Lisvane Review had provided the current generation of Members with an opportunity to shape this. Although it was also suggested that thought should be given more widely to the sustainability of City Corporation in its current form and not the constitutional operation.

Section 5: The Court of Common Council

- Several Members raised the point of a reduction in the number of Court of Common Council Members. One Member agreed with Lord Lisvane's approach in focusing on the number of Members required for effective management of the organisation. Another agreed, acknowledging that the current number of Members may be viewed as inappropriate by some but highlighted the importance of balancing the requirements of governing local authority responsibilities, a variety of educational and charitable trusteeships, and the broader business outreach. The number of elected Members had to be sufficient to delivering outcomes across the different and diverse activities of the City Corporation.
- One Member suggested that the number of Members should only be considered once the number of committees had been rationalised. Another agreed, stating that the size of such committees would also directly impact the number of Members required. They spoke in favour of smaller committees to ensure efficiency, claiming that many Chairmen had struggled with larger committees since moving to the virtual environment.
- One Member spoke of their contribution to the Review in respect of their feelings that the number of elected Members and committees should be reduced and their hopes that this could be restructured in time for the 2022 and 2025 elections.
- Alternatively, a Member suggested that increasing the number of Members would aid in increasing the diversity of the Court.
- Regarding the franchise, a Member spoke in favour of exploring City Corporation leases to encourage voter participation but acknowledged that doing so may prove problematic. Other Members were supportive of other methods including the introduction of electronic voting, simplified electronic registration, email communications and a reduction in postage and door-to-door canvassing exercises. It was argued that many major corporations already had these mechanisms in place so implementation should be possible and, due to the business community largely using electronic communication methods, the City Corporation should seek to do the same. Combining wards for electoral purposes was also suggested.
- Several Members spoke about the timing of meetings with some favouring an individual approach where committees could consider times based upon their membership's preferences and availability; and respecting personal

circumstances. However, some Members felt there was a need for consistency across the Court.

- It was argued that allowing flexibility in timings of meetings would help attract diverse Members, for example holding meetings at a lunch time would allow those who are restricted by work commitments to attend more easily in their allocated breaks. Some workers preferred evening meetings while some younger Members with families may find evening meetings inconvenient. It was highlighted that a range of timings could be considered to maximise attendance at meetings. Some Members supported the position that timing should remain at the discretion of committees, but others favoured a consistent approach.
- Regarding compulsory training for Members, a Member agreed that doing so would be acceptable only if it were of the highest standard as they were concerned that it could be counter-productive.
- A large number spoke in favour of a paperless approach with reasons including financial savings, sustainability and reduced staff labour. One Member felt that the provision of Corporation devices should be available on condition of paper-free compliance only. Another suggested that Members should be able to print their own papers if they felt it to be necessary.
- One Member highlighted that the pandemic had allowed them, and likely others, to become much less reliant on paper but that chairing a meeting was sometimes more difficult with electronic papers.
- Members were informed that the Barbican Centre Board was expected in March to consider approval of moving to digital only agenda packs.
- However, it was highlighted that accessibility on an individual basis must be considered, with a blanket requirement for electronic working having the potential to prevent participation and therefore reduce the possibility of diversity amongst Members. A flexible approach was therefore favoured.
- Several also expressed support for hybrid working arguing that it allowed for more participation by those with demanding work/external commitments. They hoped that legislative changes could be made to enable this to continue post-pandemic.
- Regarding questions to the Court, one Member felt that many questions could be adequately addressed in writing removing the need for response in session while another Member disagreed, expressing concern that only allowing pre-submission of questions would encourage debate outside of the meeting and therefore invite scrutiny about the transparency of the Court.
- The topic of diversity was discussed by several Members with a recognition that this should be considered in advance of the 2022 Ward elections.
- While agreeing that diversity was important, a Member expressed concern that the Review suggested addressing this based on aesthetics and argued that the focus should be on attracting a broad range of Members based on skills, experience and one's ability to fulfil the role.
- A number of Members commented on the importance of having an impact in the future through a blended and collaborative approach to accessibility onto

the Court and as effective decision-makers. Another Member commented on the need to demonstrate the Court's purpose, value, strategy and outcomes much like a commercial entity would be required to do.

- Several Members commented on the opportunities and responsibilities arising from the Review to allow the Court to take a more strategic approach to decision-making; to improve the existing governance framework (without necessarily adopting a completely radical approach); and to demonstrate a clear justification for the City Corporation's continuing existence and relevance.
- Several Members felt that the more strategic issues were the priority ahead of any detailed consideration of the organisation's structure and governance processes.
- With regard to the role of Members and efficiency of decision making, it was suggested that there needed to be a clearer definition of what a committee member's role was: what the committee did/could do, the role of the Chairman and the role of officers. Clarity about those different roles and responsibilities was felt to be important, as was having a clearer schedule of delegated authorities that clarified the role of the Executive vs the Non-Executive.
- With reference to the nature of the organisation, there was some confusion regarding the terminology that was used. Whilst nothing that the matter was complex, it was suggested that if the City Corporation was not a local authority (despite having some local authority powers), use of the term led to confusion amongst stakeholders.

Close

Sheriff Hayward, in the Chair, then thanked Members for their attendance and contributions, and advised that two further sessions had been scheduled, which Members present could also attend if they wished to contribute more. Members were also encouraged to make further representations via email. It was clarified that comments made in the chat box would be reflected in the notes.

Additional Comments received after the Engagement Session meeting

Following the meeting, the following additional comments / points of clarification were submitted by Members who had either been in attendance and wished to make additional points, or who had not been able to attend due to personal circumstances and wished for their views to be recorded:

- With reference to paragraphs 55-58 of Lord Lisvane's report and the suggestion that there should be a more coherent approach with regard to engagement with the Livery as a body, a Member commented that the Livery comprised of independent constituted bodies, many with their own Royal Charters, and whilst the City may wish to change the way it relates to these companies, the Review did not extend to the Livery. Consequently, it would be difficult for the Livery Committee to simply take directives from the City Corporation and execute them without consultation and due process on their own part.

- A Member expressed support for the comments made at the meeting opposing the recommendation in Lord Lisvane’s report that the Planning Committee should cease to be a Ward committee and be significantly reduced in size, and that planning applications should be determined by small panels.
- A Member reiterated some of the points made in his submission to Lord Lisvane during the Review, summarised as follows:-

The Committee system

- Fully supportive of the committee system. Whilst not always efficient it is both more democratic and consensual, allowing a wide range of views and opinions to be debated and considered. It provides a much greater degree of scrutiny and transparency than a cabinet structure.
- There are too many committees and too many new sub-committees, working parties, task forces and member groups. Does greater focus and member involvement assist in achieving results? It was suggested that there should be fewer, smaller committees and less overlap of decision making by committees.
- Too many papers are sent to multiple committees. The Town Clerk’s department expend too much time and effort servicing the committees. There is however a need for a balanced approach. Committees need to make decisions, to challenge officers, to ensure value for money is achieved and to make choices, sometimes difficult choices, when resources are limited. The aim should be to provide excellent services to the public at large.
- Effective decision-making requires papers to be written in a simple and concise style. A balance should be sought in the amount of information presented to members. There should be fewer papers circulated for information and for that are, they should be “asterisked”, i.e. taken without debate unless by exception.
- With reference to the City Corporation’s organisational structure, it was suggested that a better alignment between the senior management team and committees would reduce the time spent by officers attending meetings.

Election of Members to Committees

- Ward committees are a good idea, but they can be unwieldy with, for example, 32 members on a typical ward committee. Consideration should be given to the compulsory “pairing” of wards with between 2 and 4 members, with a single committee member for wards with five or more members. Including two aldermen, this would reduce the size of the typical ward committee from 32 to 18.
- Some non-ward committees are more “popular” with elected members than others. There is a growing tendency for members to seek election of those committees that are perceived to be useful in advancing a political career, and to shun committees that either involve considerable responsibility (for example school governorships or

particularly “busy” committees) or involve travel outside the square mile (to the City’s open spaces). We should be discerning, not only on what is considered by P&R, but also ensuring appropriate member participation.

Open Spaces Committees

- Formulating a new structure for the various Open Spaces Committees presents a challenge due to the amount of “external” consultation and partnership working with local communities across the Greater London area and beyond. The provisions of various open spaces Acts, and Statutory Instruments determine memberships of some committees. Non-City people are full committee members on most of the Open Spaces Committees, each with a representative role for a particular open space, or in some cases several open spaces.
- It was suggested that it would not be viable for a Chair of a single committee with responsibility for all the open spaces to undertake the current level of local engagement which was required due to work involved through consultative groups, working parties, forums, interest groups and other local committees.
- It was suggested by a Member that there should not be a reduction in the number of non-City people on open spaces related bodies as the City could be perceived as becoming increasingly remote and out of touch with local people and their aspirations. This may result in significant reputational damage.

Court of Common Council

- With a more streamlined committee structure it should be possible to reduce the size of the Court of Common Council. This requires a sufficiency of members to adequately populate the committees and various outside bodies where the City has a right of nomination. Outside bodies include the governing bodies of schools and higher educational establishments, local advisory board of schools that share a governing body, charities and trusts. A methodology for achieving a reduction of the Court of Common Council to 80 commoners by 2025 (and Aldermen to 16 by 2027), based on 16 wards, is available. This methodology reflects the suggested pairing of wards and then an amalgamation of some further wards which would then be renamed.
- The proposed approach raises some questions in respect of the potential implications of a smaller Aldermanic Court and the “pool” for advancement to the Mayoralty. In addition, a reduction in the number of wards may require Primary Legislation.
- This slimmer Common Council would maintain the historic nature of the ward system, with its traditions of connections to its local area, for example with churches, livery companies and particular business sectors. There should be sufficient experience and commitment from

amongst a smaller cadre of members for the committee system to operate efficiently. It is perhaps the nearest thing we have to a truly democratic process operating at the local level in the UK.

- Whilst not in favour of a general scheme of allowances for elected members, a Member recognised that for some, and to improve member diversity, it was necessary to have some form of remuneration (on an optional basis).

Governance Review: Member Engagement Sessions
Constitutional Issues: Session 2
25 February 2021

Present

Sheriff Christopher Hayward (in the Chair)	Alderman Nicholas Lyons
Randall Anderson	Alderman & Sheriff Professor Michael Mainelli
Alexander Barr	Jeremy Mayhew
Peter Bennett	Catherine McGuinness
Deputy David Bradshaw	Deputy Robert Merrett
Henry Colthurst	Hugh Morris
Graeme Doshi-Smith	Deputy Barbara Newman
Mary Durcan	Alderman Sir Andrew Parmley
Alderman Emma Edhem	Judith Pleasance
Helen Fentimen	Deputy Henry Pollard
Sophie Fernandes	Ruby Sayed
Marianne Fredericks	John Scott
Alderman Alison Gowman	Ian Seaton
Alderman David Graves	Oliver Sells
Alderman Timothy Hailes	Jeremy Simons
Deputy Tom Hoffmann	Deputy Tom Sleigh
Michael Hudson	Sir Michael Snyder
Deputy Jamie Ingham Clark	Alderman Sir David Wootton
Alderman Ian Luder	

Introduction

Sheriff Hayward, in the Chair, opened the meeting and thanked Members for joining today's session. He then introduced the session, setting out the process for Member consultation on relevant aspects of the review, with documents to inform the consultation session having been circulated in advance. Sheriff Hayward then summarised the references and recommendations with Lord Lisvane's review regarding the Corporation's wider existence and the operation of the Court of Common Council.

Recommendations: Members' Comments and Observations

Members then proceeded to debate the various recommendations.

Section 2: The Corporation

- Regarding ward committees, one Member felt that ward committees should remain for those that were responsible for local authority functions. They were however supportive of reducing numbers of those on some committees such as Planning and Transportation.
- One Member highlighted that often smaller wards struggled with appointing a Member to serve on a ward committee and suggested that the relevant Alderman should be eligible to represent the ward in such instances.

- One Member raised concerns about the involvement of Common Hall and the Livery in the election of the Lord Mayor and how this may be perceived. They did however highlight that changes to such practices would require primary legislation to be amended.
- Another Member felt that the Livery should take a more active role in encouraging suitable people with experience in the City to stand for the role of Non-Aldermanic Sheriff. It was clarified that the Livery Committee were looking to address this with the introduction of a panel to manage the appointment.
- Discussion took place surrounding the relationship between the Court of Common Council and the Court of Aldermen. Several Members felt that there was a divide between the two bodies with different protocols applied to the two, varying gowns worn and even a physical separation in the layout of the Court. It was highlighted that Aldermen were also seated on the dais, at a higher elevation to Members, although another Member added that some officers also sat on the dais. One Member suggested that this issue could be eased by seating the Aldermen alongside the Members in their wards. Others did not feel it was a problem, with one arguing that it followed protocols of other ceremonial occasions such as the State Opening of Parliament where roles dictated positioning in the room.
- Several Members felt that many Members were unsure of the work that the Aldermen undertook and that the two bodies should become more aligned in their work. It was suggested that minutes and papers associated with meeting of the Court of Aldermen's standing committees should be accessible to Members of the Court of Common Council to enhance transparency.
- It was highlighted that this issue had already been recognised and that active discussion was taking place surrounding how to ensure the Court was well informed of the Court of Aldermen's activities.
- One Member argued that the Court of Aldermen's work should focus on promoting financial and professional services within the City.
- Similarly, a Member added that they would like to know more about the work of the Livery and its relationship with both Courts.
- Members discussed the work of the Livery towards City initiatives including that related to the schools and education and were supportive of more collaboration between the two. One Member felt that one difficulty of their work was that the Livery were not purely London based.
- It was suggested that the Livery would be more empowered to engage with the City if they were provided with funding from the City Corporation. One Member argued that this would not be possible until consideration had been given as to the source of the funding. Another suggested that the Livery could be invited to approach the City Corporation with costing proposals.

Section 4: The Corporation's Strengths and Weaknesses

- Members were in agreement that efficiency was important to the success of the City Corporation and that improvements could be made to current systems of decision making. It was recognised that the Lisvane Review offered Members a suitable opportunity to consider this process.
- One Member felt that the City Corporation's systems were historically bureaucratic. Another Member highlighted that despite this, they felt that the overall quality of decision making in the Corporation was high.
- Regarding reports being submitted to multiple committees, several Members were supportive of introducing a limit to expedite decision making. One Member recognised the benefits of reducing the number of committees involved but disagreed with such a limit. Another agreed, raising concerns that committees which were affected but not consulted may become disgruntled. It was added that reducing the number of committees consulted would require consensus from all those involved. One Member felt that it was sensible for multiple committees to be involved if issues were related to budgets.
- It was suggested that an annual business calendar could be established, outlining when particular issues and strategies would be considered, enabling all Members to be aware of such decisions informally. This would reduce the need for 'for information' reports to be considered by multiple committees.
- The introduction of term limits for all committees was suggested as another way to address committee efficiency, with Members citing this practice being adopted by the Barbican Centre Board, the Audit and Risk Management Committee and the Police Authority Board.
- Members discussed the Scheme of Delegations and the need for changes to be made to increase committee efficiency. Several Members felt that officers should be granted enhanced delegated authority, outside of Committee, with the support of Members. One Member agreed that radical change was needed to alter public perception of the City Corporation's slow decision making, adding that other local authorities had higher levels of delegation. However, another Member expressed concern that lowering Member oversight may increase risk.
- It was highlighted that some committees, such as the Planning and Transportation and the Licensing Committee, already made effective use of delegations to officers. Another Member felt that this needed to be adopted by other committees to reduce unnecessary burden on committee members.
- Some suggested that central and service committees should be considered separately on this matter and more differentiation made between City Cash and local authority funded committees. Other Members were against this, stating that doing so may generate greater scrutiny and a risk of abolition. Members however felt that the importance of the City Corporation's local authority functions must be recognised, particularly in risk oversight.
- One Member highlighted that the issue of transparency had been raised in several committees previously but that sufficient actions to address this had not yet been taken.

- One Member suggested that this could be aided by using Members' names in minutes. Another agreed adding that this would allow for greater accountability. They felt that the practice did not differ wildly from current practice where comments were contributed to the Chair or Deputy Chair and that a trial could be beneficial.
- However, other Members disagreed arguing that this practice would complicate the minute taking process and result in a lack of succinctness. One Member felt that minutes should be brief, recording decisions taken only. It was also highlighted that, with the introduction of livestreaming, members of the public were able to witness any contributors first-hand. Other Members were concerned that this practice could lead to political grandstanding. One Member suggested that recorded votes could be offered on exception for particularly controversial items and that minutes should record when Members leave a meeting.

Section 5: The Court of Common Council

- Several Members agreed that the number of committees could be reduced. However, one Member argued that there was not an issue with the number of committees, but with the number of Members on committees.
- One Member felt that the number of Members of the Court of Common Council should be reduced to 75.
- One Member was in favour of all the proposed amendments to the Standing Orders, including the use of e-papers. Another expressed concern that the Standing Orders precluded knowledge and thus welcomed a review.
- One Member felt that Court proceedings should focus on reaching a motion and therefore address questions before beginning any debate.
- Several Members were supportive of introducing limits to questions at Court with some suggesting a limit of 30 words, no statements being permitted as questions, and limiting the number of questions permitted for one Member to ask. This would allow more questions and supplementary questions to be asked in the time allocated at Court. It was felt that answers were often also lengthy and suggested that officers answer any possible supplementary questions in their first response or that Members respond in writing after the meeting.
- Regarding diversity, one Member felt that the Court was not currently representative of London and would benefit from greater diversity of class and industry. Several Members agreed that the diversity of the Court should not be based on appearances, but on ensuring a variety of skills and experience were available to ensure efficiency.
- One Member added that lack of remuneration of Members acted as a barrier to people standing for election to the Court, particularly for those who were financially disadvantaged. It was highlighted that the Financial Assistance Working Party was meeting in the near future to discuss this, following the Tackling Racism Taskforce recommendations.

- One Member felt that the constitutional issues could not be fully addressed before considering Lord Lisvane's recommendations surrounding the committee structure.

Close

Sheriff Hayward, in the Chair, then thanked Members for their attendance and contributions. Members were also encouraged to make further representations via email. It was clarified that comments made in the chat box would be reflected in the notes.

Governance Review: Member Engagement Sessions
Constitutional Issues: Session 3
26 February 2021

Present

Sheriff Christopher Hayward (in the Chair)	Deputy Edward Lord
Munsur Ali	Catherine McGuinness
Randall Anderson	Alderman Sir Andrew Parmley
Nicholas Bensted-Smith	Susan Pearson
Simon Duckworth	Deputy Henry Pollard
Marianne Fredericks	Deputy Elizabeth Rogula
Caroline Haines	Deputy Tom Sleigh
Ann Holmes	Deputy Philip Woodhouse
Natasha Lloyd-Owen	Alderman Sir David Wootton

Introduction

Sheriff Hayward, in the Chair, opened the meeting and thanked Members for joining the third session focusing on constitutional issues. He then set out the process for Member consultation on relevant aspects of the review, with documents to inform the consultation session having been circulated in advance. Sheriff Hayward then summarised the references and recommendations with Lord Lisvane's review regarding the Corporation's wider existence and the operation of the Court of Common Council.

Recommendations: Members' Comments and Observations

Members then proceeded to debate the various recommendations.

Section 2: The Corporation

- Several Members raised the question of whether the ward structure and ward committees should continue in current form and were supportive of an open review of this by all Members.
- Some Members were in favour of amending the number of wards and ward boundaries stating that, despite being a recognised part of the Corporation's history and traditions, the current situation was not practical for efficient operation.
- One Member expressed concern that the number of Members allocated to each ward led to an imbalance between wards.
- An argument was made that ward committees were no longer required as Members were able to attend any Committee of the Court, if they had an interest. It was felt that committees should consist of those with the most relevant skills and experience.
- Another Member argued that ward committees allowed all Members to contribute to work of the Corporation beyond the Court. They added that the electorate expected Members to do so.
- One Member felt that either boundaries must be reviewed, or ward committees must be abolished. Another suggested that Members and

Aldermen could represent more than one ward, to reduce numbers on ward committees.

- It was highlighted that doing so may require legislative changes, although several Members appreciated that they were unaware of the exact requirements and how such changes could be made. One Member felt that decisions should not be based on whether legislation needed amending but that all Members should be made aware of the requirements.
- Some Members highlighted that wards often struggled to appoint a Member to serve on a ward committee. One Member suggested that the relevant Alderman should be eligible to represent the ward in such instances before the seat was offered out more widely
- Discussion took place surrounding the importance of the Court of Aldermen in electing a Lord Mayor, with one Member suggesting this was the main reason for its existence and size. One Member highlighted that reducing the Court of Aldermen would reduce the number of candidates to consider for progression to the office of Lord Mayor.
- It was expressed that diversity in the Mayoralty was directly impacted by the historic lack of diversity on the Court of Aldermen. One Member suggested that the Lord Mayor could be selected from the Court of Common Council instead. Another agreed, adding that this would allow those with skills and experience most suited to the role of High Office to be selected.
- One Member took the opportunity to highlight that the Court of Aldermen were already aware of and considering the issue of age limits, which often prohibited new talent from joining the Court. It was suggested that the same age limit should also apply to the Court of Common Council.

Section 3: The City the Corporation serves

- One Member highlighted that in considering changes Members must consider their responsibilities to represent the electorate as a priority. Another agreed, adding that the electorate was already well represented with more elected councillors than other local authorities in the UK.
- Regarding Lord Lisvane's approach to the Review, one Member agreed that radical change was required.

Section 4: The Corporation's Strengths and Weaknesses

- Several Members agreed that some traditions reflected badly on the Court and might discourage engagement by the public. These included the role of the Lord Mayor, the recognition of newly announced honours for Members, committee structures and the perception of internal politics.
- Another argued that this was often due to the perception of the public not matching the reality.
- In reference to the negative perception of the process of becoming Lord Mayor, one Member argued that progression to this role was similar to an individual becoming the Chair of the Policy and Resources Committee.

- One Member added that the City Corporation's unique history interested many but highlighted that it was important to ensure that this did not impact its effectiveness. It was felt that a balance between tradition and relevance must be sought.

Section 5: The Court of Common Council

- Several Members raised the point of a reduction in the number of Common Councillors. One Member agreed with Lord Lisvane's approach in focusing on the number of Members required for effective management of the organisation. Another argued that numbers should remain unchanged as a reduction would limit the range of skills and experience across the Court and its Committees. Another agreed, adding that a reduction in the overall number of Members would place additional burdens on those serving on committees as there would be fewer Members to undertake the work of the Court.
- Discussion took place regarding diversity of Members. One Member explained that cultural diversity was often incorrectly associated with financial viability and that having external Members greatly benefitted committees because of the different cultural experience they often provided.
- Regarding the voluntary nature of being a Common Councillor, several Members expressed concern at the amount of time required of the role and the financial and practical implications of this. The difficulties for those working full time and how the introduction of evening meetings would be welcome were highlighted.
- Another Member expressed concern that offering remuneration to Members would require a review of the number elected to the Court. They also suggested that a detailed process would be required to consider the level of remuneration and its justification.

Close

Sheriff Hayward, in the Chair, then thanked Members for their attendance and contributions, and advised that one further session had been scheduled, which Members present could also attend if they wished to contribute more. Members were also encouraged to make further representations via email. It was clarified that comments made in the chat box would be reflected in the notes.

Additional Comments received after the Engagement Session meeting

Following the meeting, the following additional comments / points of clarification were submitted by Members who had either been in attendance and wished to make additional points, or who had not been able to attend due to personal circumstances and wished for their views to be recorded:

- One Member felt that training for Members was essential to aid debate and decision making in order to competently represent their electorate.

Governance Review: Member Engagement Session
Ward Committees
2 March 2021

Present

Sheriff Christopher Hayward (in the Chair)	Alderman Robert Howard
Caroline Addy	Michael Hudson
Randall Anderson	Deputy Wendy Hyde
Deputy John Bennett	Deputy Jamie Ingham Clark
Peter Bennett	Shravan Joshi
Mark Bostock	Alderman Alastair King
Deputy Keith Bottomley	Natasha Lloyd-Owen
Deputy David Bradshaw	Deputy Edward Lord
Tijs Broeke	Alderman Ian Luder
Tom Clementi	Alderman Nicholas Lyons
Henry Colthurst	Alderman & Sheriff Professor Michael Mainelli
James De Sausmarez	Catherine McGuinness
Mary Durcan	Wendy Mead
John Edwards	Deputy Robert Merrett
Alderman Sir Peter Estlin	Hugh Morris
Anne Fairweather	Deputy Barbara Newman
Helen Fentimen	Alderman Sir Andrew Parmley
Sophie Fernandes	Deputy Henry Pollard
Marianne Fredericks	John Scott
Alderman Sir Roger Gifford	Oliver Sells
Alderman Alison Gowman	Deputy Tom Sleigh
Tracey Graham	Sir Michael Snyder
Alderman David Graves	Deputy James Thomson
Alderman Tim Hailes	Deputy John Tomlinson
Stephen Haines	Mark Wheatley
Graeme Harrower	Alderman Sir David Wootton
Deputy Tom Hoffman	Dawn Wright
Ann Holmes	

Introduction

Sheriff Hayward, in the Chair, opened the meeting and thanked Members for joining today's session. He then introduced the session, setting out the process for Member consultation on relevant aspects of the review, with documents to inform the consultation session having been circulated in advance. Sheriff Hayward then summarised the references and recommendations with Lord Lisvane's review regarding the operation of Ward committees.

Recommendations: Members' Comments and Observations

Members then proceeded to debate the various recommendations relating to ward committees.

Alternatives to the ward committee system

- There was unanimous agreement that Lord Lisvane's proposed Nominations and Governance Committee, for the purpose of selecting and appointing Members to serve on committees, should not be established for a number of reasons.
 - It was felt by many that the committee would not be democratic, or at the least would not be perceived to be democratic by the electorate.
 - There were too many complications and unknowns in its operation such as which Members would be appointed to the committee and what the committee would achieve.
 - Some felt that the City Corporation did not need the committee to identify the best applicants to serve on any committee.
 - One Member felt that introducing the committee would add unnecessary complications and processes to the structure of the City Corporation, hindering efficiency of the Court and the understanding of this structure by external stakeholders.
 - One Member argued that such a body may conflict with the Policy and Resources Committee.
- One Member suggested that instead of ward committees, Members could introduce a system in which Members were able to speak at any meeting that the Member had relevant information to share. This would enable Members to represent their wards on relevant issues where necessary. Another Member opposed this suggestion, raising their concerns that allowing Members to do so would slow down decision-making. One Member agreed with the proposal but felt that Members should instead be notified of relevant issues and invited to speak at the meeting rather than any Member being able to contribute to any meeting they wished.
- It was highlighted that by abolishing ward committees, alongside other recommendations such as limiting the number of committees a Member could serve on at any one time, Lord Lisvane's recommendation for smaller committees could be achieved.

Retain or abolish the ward committee system

- Support was expressed by the majority of those present to retain Ward committees as a principle for the following reasons:
 - It was felt that abolishing ward committees may be undemocratic and cause committees to lack transparency. One Member added that they felt the Review placed a greater importance on efficiency rather than democracy. Several Members highlighted that residents within the City often felt disenfranchised and it was felt that an abolition of ward

committees would amplify this. Members should therefore consider the view of such residents and any potential reputational risk.

- Several Members agreed that ward committees offered a fair representation of all electors on key issues that affected all wards.
- A Member explained that some viewed ward committees as encouraging conflicts of interest but argued that the City's Members' Code of Conduct meant that this could always be avoided.
- One Member felt that the system avoided one Member from being able to serve on too many committees, preventing others from being able to serve.
- There was a consensus that efforts should be made to ensure those with the most suitable skills and experience served on relevant committees. In light of this, one Member argued that, while some perceive ward committees as hindering this, the ward nomination system allowed this to happen. They highlighted that Members could take the opportunity to learn any relevant knowledge or skills required to serve on a particular committee. Another agreed, arguing that competence should not be a prerequisite of standing for a position on a committee.
- In reaction to the argument that ward committees slowed the decision-making process, one Member argued that this was not the case.
- Many Members agreed that ward committees allowed all Members the opportunity to serve on a committee. One Member added, with several agreeing, that Members serving on committees in addition to the Court was a vital element of the City Corporation's culture. Another highlighted their own struggles and the difficulties of standing for election to a committee. Ward committees allowed Members to become familiar with other Members of the Court and the committee system. Another Member agreed, highlighting the importance of the system in allowing them to become involved in larger grand committees as a new Member. They argued that the system was more inclusive and allowed greater diversity on committees.
- It was argued by some that the current system worked adequately in the past and therefore did not require amendments.
- Some felt that the alternatives were not viable options at this time.
- Despite this, some difficulties associated with ward committees were highlighted.
 - One Member felt that chairing ward committees could sometimes prove challenging.
 - In small wards, there can be a risk of overload and over representation of one Member on several committees.
 - As Lord Lisvane recognised, some committees suffered from large memberships and it could prove difficult to reduce numbers while retaining the ward committee system. This could, it was suggested, hinder quick and effective decision making.

- One Member felt that ward committees did not necessarily ensure democracy.

Possible changes to the ward committee system

- While overall support was expressed by those present to retain ward committees as a principle, there was also widespread agreement that some changes should be made to the existing form and number of ward committees and appointments.
- Suggested changes to the ward committee system included:
 - It was recognised by several Members that committees currently suffered from having large memberships and that efforts could be made to amend the system to allow smaller memberships. However some did not feel this was problematic, with one Member arguing that challenges in chairing ward committees were not due to their size.
 - One suggestion that was supported by several Members was that of formal pairing of smaller wards. It was added that some arrangements for pairing wards already existed. Some disagreed with this approach, arguing that smaller wards were able to accommodate all appointments. One Member wanted to avoid any prejudice against smaller wards.
 - One Member suggested that an annual rotation of membership could be introduced across the wards to reduce ward committee memberships. Another was not in favour of this, adding that some committee work was complicated and rotation would reduce efficiency and consistency.
 - Another suggestion to reduce numbers, without affecting representation of all wards, was to end the practice of larger wards being allocated multiple places on a committee.
 - Members discussed the issue of vacancies on committees due to wards not nominating a Member to represent them. There was agreement that should a vacancy occur for this reason, it should not be filled through other means.
- Many Members commented on whether some committees should or should not be ward committees:
 - One Member argued that the ward committee structure should be used for all local authority activities.
 - Several Members agreed that both the Finance and Planning and Transportation Committees should remain as ward committees.
 - Several Members argued in favour of the Culture, Heritage and Libraries Committee remaining as a ward committee, while one felt this was unnecessary.
 - Regarding the Port Health and Environmental Services Committee, some Members felt that there was insufficient reasoning for it to remain a ward committee while others argued that it should remain a ward committee as its remit covered a wide range of matters, such as refuse collection and environmental issues, which affect all wards. One

Member felt that it was useful for committees such as these to retain a large membership as different Members were able to focus on specific areas of interest to ensure a wide oversight. However, another argued that this could be said in respect of all City Corporation committees.

- Several Members felt that there was little need for the Community and Children's Services Committee to be a ward committee as there was limited relevance for those representing business wards. However, a majority disagreed, arguing that it was beneficial for both business and residential ward Members to be involved as the committee's remit covered issues that affected all wards, such as homelessness and libraries.
- One Member suggested that the Markets Committee should remain a ward committee as otherwise it would become difficult to manage the wide range of business that the markets encompass, negatively impacting its effectiveness. However, a majority were in favour of it being elected by the Court. One Member highlighted this should happen from April 2022 due to the markets' relocation programme.
- A suggestion was made for the Policy and Resources Committee to become a ward committee due to the significance of the decisions made by the committee with relevance to all wards in the City. They felt that a wider representation of the Court was required. Others disagreed arguing that the Court should remain responsible for appointments as it was an executive decision-making body for the Court. One Member raised concerns that if it were to become a ward committee, the committee would become solely occupied by Ward Deputies. They highlighted that similar suggestions had been made in the past but that had not been pursued.
- One Member suggested an alternative option for the Policy and Resources Committee in that its composition should consist of the Chairs of all committees and Members who were elected to cover specific areas such as diversity or climate change. Another Member clarified that some Chairs already were either ex officio or full Members of the committee but recognised that it may be worth further exploration.
- One Member suggested that the Licensing Committee should become a ward committee as its issues affected the whole City. Another Member disagreed, arguing that there were difficulties in doing so due to membership restrictions determined by legislation. They did however agree that this could be explored, should it be the will of the Court.
- Several Members agreed that a case could be made for the Open Spaces Committee to become a ward committee as they felt all Members had an interest in the City's open spaces.

Other

The following additional comments were made:

- One Member highlighted that the City Corporation consisted of a large number of committees and Members.
- Several Members felt that other issues were more important when addressing the efficiency of committees including greater delegation to officers, reports being submitted to multiple committees and the number of committees.
- One Member felt that before considering the ward committee structure, the number of Common Councillors must be reviewed.
- Throughout the session there was discussion regarding business and residential wards and their involvement on ward committees. Some felt that some committees did not need to be ward committees, suggesting that either business or residential wards were not affected by the work of these. Many disagreed with this notion, arguing that Members should not focus on the division between the two. It was highlighted that often a mix of business and residential representation was important to the effectiveness of committees. One Member clarified that often those representing business wards also lived within the City.

Close

Sheriff Hayward, in the Chair, thanked Members for their attendance and contributions, and encouraged Members to make further representations via email should they have anything further to add. It was clarified that comments made in the chat box would be reflected in the notes.

Additional Comments received after the Engagement Session meeting

Following the meeting, the following additional comments / points of clarification were submitted by Members who had either been in attendance and wished to make additional points, or who had not been able to attend due to personal circumstances and wished for their views to be recorded:

- Several Members agreed that the ward committee structure should be retained but that small changes may be necessary, including the review of whether specific committees should be ward committees. The system allows new Members to be introduced to the committee structure and practices and ensures that they are able to become involved in the work of the Corporation's committees without requiring election.
- One Member expressed support for a pairing approach for wards.
- There was further agreement that the proposed Nominations Committee would not be preferable as it would be perceived as undemocratic.
- Those who submitted thoughts agreed that Members dividing residential and business wards was unhelpful. They felt that all Members had an interest in the success of the City, whether their involvement was through work or residence.
- One Member was open to the possibility of Open Spaces becoming a ward committee.
- One Member was opposed to the suggestion of the Policy and Resources Committee becoming a ward committee as it would result in only Ward

Deputies serving. They felt that this would exclude newer Members and hinder the diversity of the committee.

- One Member felt that current arrangements regarding members speaking at any committee, through permission of the Chair only, should be left unchanged.
- One Member explained that if the assumption was that ward committees existed due to all wards having an interest in the issues of that committee then either all or none of the City Corporation's committees should be ward committees.
- Other issues raised during the session that were supported by email submissions included the importance of focusing on addressing the need for reports to be submitted to multiple committees and its impact on decision-making, the suggestion that the number of Common Councillors should be addressed before reviewing ward committees, and the principle that committee memberships should be reduced in order to improve efficiency.

Comments from the previous Constitutional Issues engagement sessions, on the subject of Ward Committees

Session 1

- Several Members raised the question of whether the ward structure and ward committees should continue in current form and were supportive of an open review of this by all Members.
- Some Members were in favour of amending the number of wards, stating that the current situation was not practical for efficient operation. Others spoke in favour of reviewing the ward boundaries and the number of Members allocated to each ward.
- One Member expressed appreciation for the ward system by arguing there was value in retaining this historic and unique element of the Corporation.
- One Member was supportive of changing the rights of wards to appoint Members to committees as they felt that having committees with numbers in excess of 15 was not sensible for decision making.
- Several Members argued that the Aldermanic system relating to wards was not in need of review, with one Member stating that they were a critical component of the overall decision-making structure.
- A Member expressed support for the comments made at the session 1 meeting opposing the recommendation in Lord Lisvane's report that the Planning and Transportation Committee should cease to be a ward committee and be significantly reduced in size, and that planning applications should be determined by small panels.

Session 2

- Regarding ward committees, one Member felt that ward committees should remain for those that were responsible for local authority functions. They were however supportive of reducing numbers of those on some committees such as Planning and Transportation.

- One Member highlighted that often smaller wards struggled with appointing a Member to serve on a ward committee and suggested that the relevant Alderman should be eligible to represent the ward in such instances.

Session 3

- Several Members raised the question of whether the ward structure and ward committees should continue in current form and were supportive of an open review of this by all Members.
- Some Members were in favour of amending the number of wards and ward boundaries stating that, despite being a recognised part of the Corporation's history and traditions, the current situation was not practical for efficient operation.
- One Member expressed concern that the number of Members allocated to each ward led to an imbalance between wards.
- An argument was made that ward committees were no longer required as Members were able to attend any Committee of the Court, if they had an interest. It was felt that committees should consist of those with the most relevant skills and experience.
- Another Member argued that ward committees allowed all Members to contribute to work of the City Corporation beyond the Court. They added that the electorate expected Members to do so.
- One Member felt that either boundaries must be reviewed, or ward committees must be abolished. Another suggested that Members and Aldermen could represent more than one ward, to reduce numbers on ward committees.
- It was highlighted that doing so may require legislative changes, although several Members appreciated that they were unaware of the exact requirements and how such changes could be made. One Member felt that decisions should not be based on whether legislation needed amending but that all Members should be made aware of the requirements.
- Some Members highlighted that often wards struggled with appointing a Member to serve on a ward committee. One Member suggested that the relevant Alderman should be eligible to represent the ward in such instances.