

| | |
|---|-----------------------------|
| Committee(s): Policy and Resources | Date: 3 June 2021 |
| Subject: Amendment to an Act of Common Council - Aldermanic Elections | Public |
| Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly? | |
| Does this proposal require extra revenue and/or capital spending? | No |
| If so, how much? | N/A |
| What is the source of Funding? | N/A |
| Has this Funding Source been agreed with the Chamberlain's Department? | N/A |
| Report of: Town Clerk | For Decision |
| Report Author: Lorraine Brook | |

Summary

The Act of Common Council (as amended) of 14 July 1960 requires that, following the death, resignation (surrender of Office) or disqualification of an Alderman, the matter shall be reported by the Town Clerk to the next regular meeting of the Court of Aldermen.¹ A report of such matters to the Court of Aldermen shall, as per paragraph 4 of the Act of Common Council, result in a Wardmote being summoned and held for the election of an Alderman of the Ward within forty-two working days.

Following the death of Alderman Sir Roger Gifford (Alderman of the Ward of Cordwainer since 2004) on 25 May 2021, the Town Clerk is required to report this sad occurrence to the Court of Aldermen at its next scheduled meeting, which is due to take place on 6 July 2021. As per the current requirements, an election would be held within the Ward of Cordwainer within 42 working days. Within these timescales the latest date on which an election could take place would be 3 September 2021.

For reasons set out in this report, namely the state of the 2021 Ward List, the importance of a more robust 2022 Ward List, and a greater diversity of candidates; the Court of Common Council's decision of 8 October 2020 to postpone all Common Council elections until March 2022; and the Court of Aldermen's similar decision to waive until March 2022 the conventions relating to Surrenders of Office, Members are asked to consider an amendment to the Act of Common Council to postpone the election of an Alderman in the Ward of Cordwainer until after the 2022 Ward List comes into effect. The amendment would ensure that any instances of Aldermanic vacancies arising from death in Office would be managed in this manner.

Recommendations:-

- (i) Members are asked to consider an amendment to the Act of Common Council to postpone the election of an Alderman in the Ward of Cordwainer until after the 2022 Ward List comes into effect, for the reasons set out in the report; and

¹ Act of Common Council, 14 July 1960

- (ii) Members are invited to request that the Town Clerk settles the Urgency Report and Bill in consultation with the relevant Members (the Rt Hon the Lord Mayor, the Chief Commoner, the Chair of the Finance Committee and the Chair of the Planning and Transportation Committee – or their nominees) and that the decision be taken in accordance with Standing Order 19 [Decisions Between Meetings] to ensure that any revised arrangements are in place ahead of the Court of Aldermen's next meeting, which is scheduled to take place on 6th July 2021.

Main report

Current position – Common Council and Aldermanic Elections

1. Following the outbreak of the COVID-19 pandemic in March 2020, the Government passed legislation to postpone various elections including all local government elections in England until May 2021. The provisions of that legislation did not apply to the City of London Common Council elections, the dates of which are under the control of the Court of Common Council.
2. Given the national position, the uncertainty about the length of time current restrictions would need to be maintained; the City Corporation's inability to contact or engage with the electorate and businesses as it had done in previous years and the effect this would have on the completion of the Ward List particularly in terms of accuracy and numbers, the Policy and Resources Committee agreed to reschedule the March 2021 all-out Common Council elections until March 2022, subject to the approval of the Court.
3. To effect the change of date, a Bill for an Act of Common Council was required and, in accordance with Standing Order No. 46, the terms of the Bill were considered by the appropriate Committee(s) under urgency procedures and settled by the Recorder of London before it was submitted to the Court of Common Council for its first, second and third reading (September and October 2020).
4. The Act of Common Council of 8 October 2021, concerning the ordinary ward elections in relation to the whole number of Common Councilmen, determined that, *"Notwithstanding the provisions of section 2 of the Act of 2012, ordinary elections shall not take place on 17 March 2021 and shall instead take place on 23 March 2022"* and in respect of casual vacancies in the office of Common Councilman, *"Notwithstanding the provisions of section 6 of the Act of 1973, no precept shall be issued for an election to fill a casual vacancy arising before 23 March 2022."*

Aldermanic Elections

5. The Act of Common Council of 14 July 1960 repealed the Acts of Common Council made and passed on 2 December 1920 and 19 September 157 respectively; to amend the Act of Common Council made on 10 October 1663; and made further and better provision governing the election of Aldermen, Common Councilmen and Ward Beadles of the City of London.

6. The Act of Common Council as amended on 14 July 1960 requires that, following the death, resignation (Surrender of Office) or disqualification of an Alderman, the matter shall be reported by the Town Clerk to the next regular meeting of the Court of Aldermen. A report of such matters to the Court of Aldermen shall, as per paragraph 4 of the Act of Common Council of 1960, result in a Wardmote being summoned and held for the election of an Alderman of the Ward within 42 working days.
7. As the conventions governing Aldermanic elections are determined by the Court of Aldermen, on 10 July 2020, as the Court of Common Council's electoral position was being considered, the General Purposes Committee of Aldermen contemplated what arrangements should be adopted in respect of Aldermanic elections beyond May 2021. Those arrangements were in respect of where an Alderman's six-year term of office shall expire or as is convention, where an Alderman's term of office is expected conclude upon them reaching the age of 70. The Committee agreed that the existing conventions in relation to Aldermanic elections be waived, until elections across the UK resumed as of May 2021 (subject to review); and that the position in relation to Aldermanic elections beyond May 2021, taking into account voter registration considerations and implications for the compilation of the 2021 Ward List and the importance of a greater diversity of candidates, be reviewed in due course.
8. The position in respect of holding elections after May 2021 was reviewed by the Court of Aldermen on 9 February 2021 and it was agreed that that the long-standing Aldermanic conventions would continue to be waived until March 2022 so future elections would be delivered on a more robust 2022 Ward List. Members were mindful that the holding of elections on the basis of the 2021 Ward List would have significant implications and pose longer term risks to the City Corporation. This position reflected that adopted by Common Council in respect of the postponement of the Common Council elections until March 2022, demonstrating a consistent approach across the executive bodies.

Current Position

9. The decisions reached by the Court of Aldermen to date have no bearing when an Alderman dies in Office. Consequently, in accordance with the Act of Common Council of 14 July 1960, such matters must be reported to the next regular meeting of the Court of Aldermen and a Wardmote being summoned and held for the election of an Alderman within 42 working days.

Alderman – Report of death, resignation, or disqualification

3. *[If an Alderman of the said City (a) dies; (b) is disqualified; or (c) offers to surrender his Office of Alderman, the Town Clerk of the said City shall report such death, disqualification or offer to surrender to the next regular meeting of the Court of Lord Mayor and Aldermen of the said City.]*

Alderman – As to holding of Wardmote

4. *[Within forty-two working days next after the holding of such Court of Lord Mayor and Aldermen as is referred to in section 3, or in the case of an offer to surrender the Office of Alderman within forty-two working days*

next after the acceptance by the said Court of the offer to surrender, the Lord Mayor shall cause a wardmote to be summoned and held for the election of an able and sufficient Citizen and Freeman of the said City (either not being an Alderman or being an Alderman to whom section 3A(1) relates) and meeting the condition set out in section 3(1) (Candidature for the Office of Alderman) (as substituted) of an Act of Common Council made and passed on the 10th day of September 1998 to be Alderman of the ward wherein a vacancy for the said Office has arisen as aforesaid and the Lord Mayor shall return such person so elected as aforesaid to the first Court of Lord Mayor and Aldermen holden next after seven clear days following such election.]

10. Following the demise of Alderman Sir Roger Gifford (Alderman of the Ward of Cordwainer) on 25 May 2021, the Town Clerk is required to report this sad occurrence to the Court of Aldermen at its next scheduled meeting, which is due to take place on 6 July 2021.
11. In light of the decisions taken previously (most recently in February 2021) to ensure that a more robust 2022 Ward List is in place, following a targeted campaign to promote voter registration and democratic engagement, and diversity of candidates, the Committee is asked to agree an amendment to the Act of Common Council. The amendment would mean that the obligation of the Lord Mayor to summon an election to be held in the Ward of Cordwainer will not arise until the March meeting of the Court of Aldermen, following the 2022 Ward List coming into effect.
12. Consequently, an election in the Ward of Cordwainer will be delivered on the basis of a more robust Ward List having been compiled over the preceding period. There was a decrease of 1/3 of registered voters in the Ward between 2020/21 and 2021/22 so it is anticipated that the targeted elections engagement programme will significantly increase voter registration in the 2022/23 Ward List.

Conclusion

13. The Act of Common Council as amended on 14 July 1960 requires that, following the death, resignation (surrender of Office) or disqualification of an Alderman, the matter shall be reported by the Town Clerk to the next regular meeting of the Court of Aldermen. A report of such matters to the Court of Aldermen shall result in a Wardmote being summoned and held for the election of an Alderman of the Ward within 42 working days.
14. Following the death of Alderman Sir Roger Gifford (Alderman of the Ward of Cordwainer since 2004) on 25 May 2021, the Town Clerk is required to report this sad occurrence to the Court of Aldermen at its next scheduled meeting, which is due to take place on 6 July 2021. As per the current requirements, an election would be held within the Ward of Cordwainer within 42 working days. Within these timescales the latest date on which an election could take place would be 3 September 2021.
15. For the reasons set out in the report, Members are asked to consider an amendment to the Act of Common Council to postpone the election of an Alderman in the Ward of Cordwainer until after the 2022 Ward List takes effect.

The amendment will ensure that any instances of vacancies arising from death in Office will be managed in this manner.

16. The Committee is invited to request that the Town Clerk settles the Urgency Report and Bill in consultation with the relevant Members (the Rt Hon the Lord Mayor, the Chief Commoner, the Chair of the Finance Committee and the Chair of the Planning and Transportation Committee – or their nominees) and that the decision be taken in accordance with Standing Order 19 [Decisions Between Meetings] to ensure that any revised arrangements are in place ahead of the Court of Aldermen's next meeting, which is scheduled to take place on 6th July 2021.

Contact:

Lorraine Brook
Principal Committee and Member Services Manager
Town Clerk's Department
E: Lorraine.brook@cityoflondon.gov.uk
T: 020 7332 1409

Appendix

- Appendix 1 - Act of Common Council, 14 July 1960

Background Papers

- Minutes of the meeting of the General Purposes Committee of Aldermen, 9 February 2021
- Common Council Elections Change of Date from March 2021 to March 2022 – Bill for an Act of Common Council (reports of the Policy and Resources Committee – 10 September 2020 and 8 October 2020)
- Change of Date of City-wide elections – Draft Bill for an Act of Common Council (urgency, August 2020)
- Report to the Policy and Resources Committee on 9 July 2020: COVID-19 Implications – possible postponement of the City-wide Elections in March 2021
- Covid-19 Implications – Aldermanic Elections (Report to the General purposes Committee of Aldermen, 10 July 2020)
- Report to the Policy and Resources Committee on 7 May 2020 – COVID-19 Implications – possible postponement of the City-Wide elections in March 2021
- Report to the Policy and Resources Committee on 20 February 2020 – Common Council Elections in March 2021

APPENDIX 1

STOCKDALE,



Mayor.

A Common Council holden in the Guildhall of the City of London on Thursday, the Fourteenth day of July, in the year of Our Lord One Thousand Nine hundred and Sixty, and in the ninth year of the reign of Elizabeth the Second, by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith, before the Right Honourable the Lord Mayor, Sir Edmund Villiers Minshull Stockdale, Knight and Sir Bracewell Smith, Baronet, K.C.V.O., LL.D., B.Sc., Sir Frederick Michael Wells, Baronet, Sir Rupert De la Bère, Baronet, K.C.V.O., Sir Noël Vansittart Bowater, Baronet, G.B.E., M.C., Sir Denis Henry Truscott, G.B.E., T.D., Sir Bernard Nathaniel Waley-Cohen, Knight, M.A., Sir Frederick Alfred Hoare, Knight, Clement James Harman, Esq., Col. Richard Home Studholme, O.B.E., M.A., Sir James Miller, Knight, D.L., LL.D., L.C.C., Jonathan Lionel Percy Denny, Esq., M.C., Robert Ian Bellinger, Esq., Gilbert Samuel Inglefield, Esq., T.D., M.A., Arnold Charles Trinder, Esq., M.A., Lt.-Col. Ian Frank Bowater, D.S.O., T.D., The Right Honourable Lord Wardington, Douglas Rowland Holdsworth Hill, Esq., M.A., Aldermen and Hubert Pitman, Esq., O.B.E., Alderman and one of the Sheriffs of this City, and the greater part of the Commons of the said City in the said Common Council then and there assembled.

AN ACT OF COMMON COUNCIL TO REPEAL THE ACTS OF COMMON COUNCIL MADE AND PASSED ON THE 2ND DAY OF DECEMBER 1920 AND THE 19TH DAY OF SEPTEMBER 1957 RESPECTIVELY; TO AMEND THE ACT OF COMMON COUNCIL MADE ON THE 10TH DAY OF OCTOBER 1663; AND TO MAKE FURTHER AND BETTER PROVISION GOVERNING THE ELECTION OF ALDERMEN, COMMON COUNCILMEN AND WARD BEADLES OF THE CITY OF LONDON.

WHEREAS from time immemorial there has existed and still exists in the City of London a Common Council consisting of the Mayor and Aldermen of the said City and certain Citizens being Freemen of the said City and the said Mayor Aldermen and Commons in Common Council assembled have from time to time made passed ordained and established divers Acts Ordinances Rules Orders and Regulations for the regulation and good government of the said City as to them from time to time has been found necessary and expedient;

And Whereas by an Act of Common Council made and passed on the 2nd day of December 1920 the procedure set out in such Act in regard to the nomination of candidates for election to the office of Common Councilman was enacted ordained and established;

And Whereas by an Act of Common Council made and passed on the 19th day of September 1957 the provisions of the said Act of Common Council made and passed on the 2nd day of December 1920 were amended and additional provisions were enacted ordained and established governing the times within which elections should be held to fill vacancies in the office of Alderman caused by death or resignation and the time within which nominations for the office of Alderman must be made;

And Whereas by the City of London (Various Powers) Act, 1957, certain provisions of the Representation of the People Act, 1949, the Local Elections Rules set out in the Second Schedule to the Representation of the People Act, 1949, and the Representation of the People Regulations, 1950, were applied to ward elections in the City of London to enable certain persons to vote at such elections by post or by proxy;

And Whereas as a result of the application of the provisions before referred to it has become necessary to repeal the said Acts of Common Council made and passed on the 2nd day of December 1920 and the 19th day of September 1957 respectively and to make further and better provision as to the procedure to be followed at ward elections in lieu and in extension of the provisions contained in the said Acts;

And Whereas by an Act of Common Council made and passed on the 10th day of October 1663 it was enacted, established and ordained that thenceforth at the accustomed times of election or whensoever the place of Beadle of any of the several wards of this City should become void, the Alderman, with consent of the Deputy and Common Councilmen, or the major part of them, of the said several wards, should nominate to the inhabitants of every the same wards, in their respective wardmotes assembled, two honest sufficient and discreet persons for the place of Beadle of the same wards And that the said inhabitants in the said Court of Wardmote should elect and choose one of the said two persons so nominated to be Beadle of every the same wards and the persons so elected should have, hold, exercise and enjoy the same fully and effectually to all intents and purposes any custom or usage to the contrary thereof in anywise notwithstanding;

And Whereas the said provisions of the said Act of Common Council made and passed on the 10th day of October, 1663 have as a result of the effluxion of time become outmoded and inconvenient and it is desirable that the persons qualified to vote at elections of Ward Beadles should be the same as those qualified to vote at elections of Aldermen and Common Councilmen and no others;

And Whereas it is desirable that the form of the return to the precept for elections of Common Councilmen or for election of a Common Councilman required to be made in accordance with the provisions of an Act of Common Council made and passed on the 10th day of December 1857 should be prescribed;

And Whereas His late Majesty King Edward the Third by his Charter made and granted to the City in the fifteenth year of His reign afterwards confirmed and ratified by Parliament did (amongst other things) grant that if any customs in the said City before that time obtained and used were in any part hard or defective or any things in the said City newly arising in which no remedy had been ordained should need amendment the Mayor and Aldermen of the said City and their successors with the assent of the Commonalty of the said City might put and

ordain thereunto fit remedy as often as it should seem expedient to them so that such ordinance should be profitable to the King and to the Citizens and to all other liege subjects resorting to the said City and also agreeable to reason and good faith;

Be it therefore and it is hereby enacted ordained and established by the Right Honourable The Lord Mayor The Right Worshipful the Aldermen and the Commons of this City in this present Common Council assembled and by the authority of the same as follows:–

Interpretation

1. In this Act

“qualifying address” means the address in respect of which the name of a person is registered in the ward list;

“the Lord Mayor” means the Lord Mayor of the City of London or his locum tenens;

“ward election” means an election for alderman or common councilman for any ward of the City of London;

“ward list” means the list of persons entitled to vote in a ward as electors at a ward election.

[“the Town Clerk” means the Town Clerk of the City of London from time to time.]²

Computation of time

2. [...] ³

Alderman – Report of death, resignation, or disqualification

3. [If an Alderman of the said City (a) dies; (b) is disqualified; or (c) offers to surrender his Office of Alderman, the Town Clerk of the said City shall report such death, disqualification or offer to surrender to the next regular meeting of the Court of Lord Mayor and Aldermen of the said City.]⁴

[Provision as to Surrender of Office by Aldermen

3A.(1) An Alderman may offer to surrender his Office of Alderman in terms which also specify an intention by him to seek election at the wardmote for which section 4 of this Act provides.]⁵

[(1A) An Alderman may offer to surrender the Office of Alderman in terms which do not specify the intention to which subsection (1) refers but which express a willingness for that surrender to take effect immediately prior to the wardmote for which section 4 of this Act provides.]⁶

² Inserted by section 4(i) of the Act of Common Council of 10 September 1998, along with some additional definitions that were omitted by section 3 of the Act of Common Council of 16 May 2013

³ Repealed by section 1 of the Act of Common Council of 9 April 1970

⁴ Substituted by section 2 of the Act of Common Council of 17 May 1979

⁵ Inserted by section 4(ii) of the Act of Common Council of 10 September 1998

⁶ Inserted by section 3(2) of the Act of Common Council of 4 June 2001

[(2) If an Alderman expresses an offer to surrender his Office of Alderman in terms to which subsections (1) or (1A) relate, an ensuing surrender of that Office shall, subject to subsection (3), only take effect at midnight on the last day of any total period provided for by section 4A of this Act and if he is elected as an Alderman in the circumstances to which subsection (1) relates, his service in the Office of Alderman for the relevant Ward shall be deemed not to have been interrupted on account of his surrender of that Office.]⁷

[(3) Subsection (2) shall not be taken into account in relation to the operation of sections 4 and 4A of this Act.]⁸

[(4) Insofar as there may be any custom or practice pursuant to which an Alderman presides or takes any other part in the administration of a ward election for an Alderman or other proceedings connected with such an election it shall have no effect in relation to any Alderman to whom subsections (1) or (1A) refer as respects the ward which he represented when he made an offer for which those subsections provide.]⁹

Alderman – As to holding of Wardmote

4. [Within forty-two working days next after the holding of such Court of Lord Mayor and Aldermen as is referred to in section 3, or in the case of an offer to surrender the Office of Alderman within forty-two working days next after the acceptance by the said Court of the offer to surrender, the Lord Mayor shall cause a wardmote to be summoned and held for the election of an able and sufficient Citizen and Freeman of the said City (either not being an Alderman or being an Alderman to whom section 3A(1) relates) and meeting the condition set out in section 3(1) (Candidature for the Office of Alderman) (as substituted) of an Act of Common Council made and passed on the 10th day of September 1998 to be Alderman of the ward wherein a vacancy for the said Office has arisen as aforesaid and the Lord Mayor shall return such person so elected as aforesaid to the first Court of Lord Mayor and Aldermen holden next after seven clear days following such election.]¹⁰

[Provision as to periods for the purposes of Section 4

4A. In section 4 “working days” shall exclude Saturdays, Sundays and public holidays (whether of a recurring nature or permitted nationally for any specific reason).]¹¹

[Aldermen – as to holding of Wardmote – Supplementary

4B.]¹²[...] ¹³

Issue of Precepts

5. A precept for a ward election shall be issued by the Lord Mayor not later than the twenty-eighth day before the day fixed for the holding thereof.

Notice of Ward election

⁷ Substituted by section 3(3) of the Act of Common Council of 4 June 2001

⁸ Inserted by section 4(ii) of the Act of Common Council of 10 September 1998

⁹ Inserted by section 3(4) of the Act of Common Council of 4 June 2001

¹⁰ Substituted by section 5 of the Act of Common Council of 16 May 2013

¹¹ Substituted by section 6 of the Act of Common Council of 16 May 2013

¹² Inserted by section 4(iv) of the Act of Common Council of 10 September 1998

¹³ Repealed by section 7 of the Act of Common Council of 16 May 2013

6. (1) [Notice of a ward election in the form set out in the Schedule to this Act shall be prepared, signed and published by the Ward Clerk not later than the twenty-fifth day before the day fixed for the holding of the ward election.]¹⁴

(2) The notice shall be published by the Ward Clerk by

- (a) causing it to be printed and affixed in some conspicuous place or places within the ward, and
- (b) sending a copy of such notice to every person whose name appears on the ward list at his qualifying address.

Nomination of candidates

7. (1) [Each candidate at a ward election shall be nominated by a separate nomination paper to be provided by the Ward Clerk in the form set out in the Schedule to this Act which paper shall be delivered to the address of the Ward Clerk of the ward in which the candidate seeks election not later than noon on the nineteenth day before the day fixed for the holding of the ward election.]¹⁵

(2) The nomination paper shall state in respect of each candidate his full names (his surname being placed first), place of residence, description and the date upon which he was admitted to the Freedom of the City [...].¹⁶

(3) [The nomination paper shall be subscribed by two electors whose names appear in the ward list for the ward in which the candidate seeks election, as proposer and seconder and also by three other electors whose names appear on the said ward list. Each subscriber shall add his electoral number. No person shall subscribe more nomination papers than there are vacancies to be filled in the said Ward or subscribe more than one nomination paper in respect of the same candidate. Provided that no person shall subscribe a nomination paper if it appears from the ward list that on the day fixed for the holding of the ward election he will not have attained the age of eighteen years.]¹⁷

Consent to nomination

8. (1) A person shall not be validly nominated unless his consent to nomination in the form set out in the Schedule to this Act, given in writing on or within one month before the last day for the delivery of nomination papers, and attested by one witness, is delivered at the place and within the time appointed for the delivery of nomination papers.

(2) A candidate's consent given under this section shall contain a statement that he is qualified as required by law to be elected to and hold the office to which he seeks election and the statement shall give particulars of his qualification.

Decisions as to validity of nomination papers

9. (1) Where a nomination paper and the candidate's consent thereto are delivered in accordance with the provisions of this Act, the candidate shall be deemed to stand nominated unless and until

¹⁴ Substituted by section 3 of the Act of Common Council of 6 November 2008

¹⁵ Substituted by section 4 of the Act of Common Council of 6 November 2008

¹⁶ Omitted by section 1(3) of the Act of Common Council of 23 May 1968

¹⁷ Substituted by section 5 of the Act of Common Council of 6 November 2008

- (a) the Ward Clerk of the ward in which the candidate seeks election decides that the nomination paper is invalid, or
 - (b) proof is given to the satisfaction of the Ward Clerk of the candidate's death, or
 - (c) the candidate withdraws.
- (2) The Ward Clerk shall decide that a nomination paper is invalid if and only if
- (a) the particulars of the candidate or the persons subscribing the paper are not as required by law; or
 - (b) the paper is not subscribed as so required.
- (3) [The Ward Clerk shall examine the nomination papers and decide whether the candidates have been validly nominated in accordance with the provisions of this Act and shall do so as soon as practicable after each paper is delivered.]¹⁸
- (4) Where the Ward Clerk decides that a nomination paper is invalid he shall endorse and sign on the paper the fact and the reasons for his decision.
- (5) The decision of a Ward Clerk that a nomination paper is valid shall be final and shall not be questioned in any proceeding whatsoever.
- (6) Subject to the last foregoing paragraph nothing in this section shall prevent the validity of a nomination being questioned on an election petition.
- (7) The Ward Clerk shall send notice of his decision to each candidate at his place of residence as stated on his nomination paper not later than noon on the thirteenth day before the day fixed for the holding of the ward election.

Publication of nominations

10. (1) [The Ward Clerk shall prepare and publish not later than noon on the seventeenth day before the day fixed for the holding of a ward election a statement in the form set out in the Schedule to this Act showing the persons who have been and stand nominated and any other persons who have been nominated with the reason why they no longer stand nominated.]¹⁹

(2) The said statement shall show

- (a) the names [places of residence]²⁰ and descriptions of the persons nominated as given in their nomination papers, arranged alphabetically in the order of their surnames, and, if there are two or more of them with the same surname, of their other names;
- (b) the persons subscribing the respective nomination papers as proposers and seconders;

¹⁸ Substituted by section 4 of the Act of Common Council of 9 April 1970

¹⁹ Substituted by section 6 of the Act of Common Council of 6 November 2008

²⁰ Inserted by section 1(5) of the Act of Common Council of 23 May 1968

(c) [...] ²¹

(d) [...] ²²

(3) The said statement shall be published by the Ward Clerk by causing it to be printed and affixed in some conspicuous place or places within the ward.

[10A. Any person may, at all reasonable times after the latest time for the delivery of nomination papers and before the day fixed for the holding of a ward election, inspect and take copies of and extracts from nomination papers and consents to nomination.] ²³

(2) [...] ²⁴

(3) [...] ²⁵

Withdrawal of candidate

11. (1) [A candidate at a ward election may withdraw his candidature by notice of withdrawal signed by him and attested by one witness and delivered at the address of the Ward Clerk of the ward in which the candidate sought election not later than noon on the sixteenth day before the day fixed for the holding of the ward election] ²⁶

(2) In the case of a candidate who is outside the United Kingdom a notice of withdrawal signed by his proposer and accompanied by a written declaration also so signed of the candidate's absence from the United Kingdom shall be of the same effect as a notice of withdrawal signed by the candidate.

(3) A candidate who is validly nominated for more than one ward in the City must duly withdraw from his candidature in all those wards except one and if he does not so withdraw he shall be deemed to have withdrawn from his candidature in all those wards.

[11A.(1)If the number of persons remaining validly nominated at a ward election after any withdrawals under and in accordance with Section 11 of this Act exceeds the number of vacancies to be filled at the ward election a poll shall be held and be taken by ballot on the day next following the day fixed for the holding of the ward election in the same manner as if a poll had been demanded under the provisions of the City of London Ballot Act, 1887;

(2) Where under subsection (1) of this Section the day on which a poll is to be held is a Saturday Sunday Christmas Day Good Friday any bank holiday under the Bank Holidays Act, 1871 and a day appointed for public thanksgiving or mourning such poll shall be held on the first day thereafter which is not one of those days;] ²⁷

[(3) Where a poll is to be held at a ward election in accordance with subsection (1) of this section the Ward Clerk shall prepare and publish not later than the sixth day before the holding of the ward election notice of the poll in the form set out in the Schedule to this Act.] ²⁸

²¹ Omitted by section 1(5) of the Act of Common Council of 23 May 1968

²² Omitted by section 1(5) of the Act of Common Council of 23 May 1968

²³ Inserted by section 1(1) of the Act of Common Council of 17 February 1972

²⁴ Omitted by section 4(1)(b) of the Act of Common Council of 4 June 2001

²⁵ Omitted by section 4(1)(b) of the Act of Common Council of 4 June 2001

²⁶ Substituted by section 7 of the Act of Common Council of 6 November 2008

²⁷ Inserted by section 1(2) of the Act of Common Council of 7 July 1977

²⁸ Substituted by section 8 of the Act of Common Council of 6 November 2008

[(4) The said notice of poll shall be published by the Ward Clerk by causing it to be affixed in some conspicuous place or places within the Ward;

(5) The Ward Clerk shall, not later than the time of publication of the notice of poll, send to each person remaining validly nominated or to his election agent a copy of such notice.]²⁹

Death of Candidate

12 (1) If on or before the date fixed for the holding of a ward election proof is given to the satisfaction of the Lord Mayor

- (a) that a person remaining validly nominated has died after the latest time for the delivery of nomination papers; or
- (b) that a person shown in the statement of persons nominated as standing nominated had in fact died before the latest time for delivery of nomination papers,

the Lord Mayor shall countermand the election and a further precept for a ward election shall thereupon be issued by the Lord Mayor.

Provided that this sub section shall not apply, unless after such a death as is therein referred to, the number of candidates remaining validly nominated exceeds the number of vacancies.

(2) Where a ward election is countermanded in accordance with sub section (1) of this section, no fresh nomination for the election to be held in lieu thereof shall be necessary in the case of a candidate who remained validly nominated for the election which has been countermanded.

(3) Where a ward election [...] ³⁰ is countermanded in accordance with sub section (1) of this section, a common councilman for the ward in which such election is countermanded shall continue to hold office as such common councilman until the date of the ward election to be held in lieu of the ward election so countermanded as aforesaid.

Voters at elections of Ward Beadles

13. [...] ³¹ the Act of Common Council made and passed on the 10th day of October 1663 shall be read and have effect as if for the word “inhabitants” wherever that word appears the words “persons whose names appear on the Ward List [as qualified to vote at elections of Aldermen] ³²” were substituted therefor.

Return to Precept

14. [The return to a precept for the election of Common Councilmen, or for the election of a Common Councilman, required to be made in accordance with the provisions of an Act of

²⁹ Inserted by section 1(2) of the Act of Common Council of 7 July 1977

³⁰ Disapplied by section 1 of the Act of Common Council of 22 May 2003

³¹ Omitted by section 4(1)(c) of the Act of Common Council of 4 June 2001

³² Inserted by section 1 of the Act of Common Council of 12 September 1996

Common Council made and passed on the 10th day of December, 1857 shall be in the form set out in the Schedule to this Act.]³³

Repeals

15. [...] ³⁴

[15. The Town Clerk in consultation with the City Solicitor shall be authorised to amend the forms set out in the Schedules referred to in this Act as and when it is necessary to do so.]^{35 36}

NICHOLS.

³³ These provisions were recast by section 1(7) of the Act of Common Council of 10 October 2002

³⁴ Omitted by section 4(1)(d) of the Act of Common Council of 4 June 2001

³⁵ Inserted by section 4(4) of the Act of Common Council of 4 June 2001

³⁶ These provisions were recast in relation to the Return to Precept by section 1(8) of the Act of Common Council of 10 October 2002

[NOTICE OF A WARD ELECTION

CITY OF LONDON. WARD OF..... ELECTION OF.....

To the electors of the Ward of

Notice is hereby given that by virtue of a Precept from the Rt. Hon. The Lord Mayor, a Wardmote will be held onday, theday of 19..... at..... o'clock at for the purpose of electing

Nomination papers must be delivered at on any day after the date of this notice but not later than noon on the 19.....

Forms of nomination may be obtained **from me** at.....

In order that they may be effective all applications to be treated as an absent voter and other applications and notices about postal or proxy voting must be received by THE TOWN CLERK, Guildhall, London, E.C.2. by the last day for the delivery of nomination papers as shown above.

If the number of persons remaining validly nominated after any withdrawals exceeds the number of vacancies to be filled, a poll will take place at on day, theday of 19..... between the hours of 8 a.m. and 8 p.m. or until such earlier hour as may be agreed upon by the candidates. Notice of such poll will be published by me affixing the same at

Dated this day of 19.....

Ward Clerk.

Note 1. The attention of candidates and electors is drawn to the provisions relating to the completion of nomination papers, the times and place for delivery thereof and the other provisions relating thereto contained in Acts of Common Council made and passed on 14th July, 1960, 23rd May, 1968, 9th April, 1970, 17th February, 1972 and 7th July, 1977.

Note 2. Every person guilty of a corrupt or illegal practice will on conviction be liable to the penalties imposed by the Representation of the People Act, 1949.

Note 3. Qualifications of candidates for the office of Common Councilman. A person shall unless disqualified by virtue of any enactment be qualified for election to the Common Council as a Common Councilman if at the date of nomination and at the date of election he is a Freeman of the City and is of full age and a British subject or a citizen of the Republic of Ireland and (a) is registered in the list of persons entitled to vote at any Ward election; OR (b) owns freehold or leasehold land in the City; OR (c) has during the whole of the twelve months preceding the date of nomination, and has until the date of election, resided in the City. (City of London (Various Powers) Acts, 1957 and 1967).

(To be omitted at aldermanic elections).]³⁷

[NOTICE OF POLL

CITY OF LONDON. WARD OF..... ELECTION OF.....

To the electors of the Ward of

NOTICE is hereby given that:—

1. A Poll for the above election will be held on the.....day of 19..... between the hours ofand
2. * The number of Common Councilmen to be elected is
* Only one Common Councilman is to be elected.
* Only one Alderman is to be elected.
3. + The particulars of each candidate remaining validly nominated and the names of the persons signing as proposer and seconder a candidate's nomination paper are as follows:—

| SURNAME | OTHER NAMES IN FULL | PLACE OF RESIDENCE | DESCRIPTION | NAMES OF PROPOSERS AND SECONDER |
|---------|------------------------|--------------------|-------------|------------------------------------|
| | | | | |

4. The situation of the polling station is as follows:—

Ward Clerk.

- * Delete where inapplicable.
+ The names and other particulars of the candidates and the order of the names of the candidates should be as in the Statement as to persons nominated.]³⁸

³⁷ Substituted by section 1(4) of the Act of Common Council of 7 July 1977

³⁸ Inserted by section 1(3) of the Act of Common Council of 7 July 1977

[NOMINATION PAPER]
CITY OF LONDON. WARD OF

Election offor the Ward ofat a Wardmote
to be held onday, theday of 19.....

We, the undersigned, being persons whose names are on the ward list for elections in the said Ward
DO HEREBY NOMINATE the undermentioned person as a candidate at the said election.

| Surname | Other names in full | Place of residence | Description | Date of Freedom of the City |
|---------|------------------------|--------------------|-------------|--------------------------------|
| | | | | |

Signature of Proposer:

Qualifying address:

Signature of Seconder:

Qualifying address:

Dated thisday of19.....

To the Ward Clerk for the Ward of

The attention of candidates and electors is drawn to the provisions relating to the completion of
Note 1. nomination papers, the times and place for delivery thereof and the other provisions relating thereto
contained in Acts of Common Council made and passed on 14th July, 1960, 23rd May, 1968, 9th April,
1970, and 17th February, 1972.

A person may not subscribe –

- Note 2.**
- (a) more nomination papers than there are vacancies to be filled in the Ward;
 - (b) more than one nomination paper in respect of the same candidate; or
 - (c) a nomination paper unless on the day fixed for the holding of the ward election he will
have attained the age of 18 years or over.

Qualifications of candidates for the office of Common Councilman. A person shall unless disqualified by

Note 3. virtue of any enactment be qualified for election to the Common Council as a Common Councilman if at
(To be
omitted at the date of nomination and at the date of election he is a Freeman of the City and is of full age and a
aldermanic British subject or a citizen of the Republic of Ireland and (a) is registered in the list of persons entitled to
elections). vote at any Ward election; OR (b) owns freehold or leasehold land in the City; OR (c) has during the
whole of the twelve months preceding the date of nomination, and has until the date of election, resided
in the City. (City of London (Various Powers) Acts, 1957 and 1967).]³⁹

³⁹ Substituted by section 1(3) of the Act of Common Council of 17 February 1972

[CANDIDATE’S CONSENT TO NOMINATION

Section 8.

(To be given on or within one month before the last day, and delivered at the place and within
the time appointed, for the delivery of nomination papers.)

Iof.....
hereby consent to my nomination as a candidate for the office of *Alderman
*Common Councilman for the Ward of.....

I am qualified as required by law to be elected to and hold the said office. Particulars of my qualification are as follows –

*(in the case of a candidate for the office of Alderman). I am of full age, a British subject, a Freeman of the City of London, an able and sufficient
Citizen of the City of London and not already an Alderman of the said City.

*(in the case of a candidate for the office of Common Councilman). I am of full age, a British subject or a Citizen of the Republic of Ireland, a Freeman
of the City of London AND

*(a) I am registered in the list of persons entitled to vote at any Ward election; OR

*(b) I own freehold or leasehold land in the City; OR

*(c) I have resided in the City during the whole of the twelve months preceding the date of nomination, and it is my intention to so reside until
the date of election.

Signed.....

Date.....

Signed in my presence:-

Witness’s signature.....

Residence.....

Date.....

*Delete where inapplicable.]⁴⁰

⁴⁰ Substituted by section 1(6) of the Act of Common Council of 23 May 1968

CITY OF LONDON. WARD OF.....ELECTION OF.....

The following is a statement as to the person(s) nominated for election as
for the Ward of

| Surname | Other names in full | Place of residence | Description | Names of Proposers and Seconders | Decision of the Ward Clerk that nomination paper is invalid or other reason why a person nominated no longer stands nominated. |
|---------|---------------------|--------------------|-------------|-------------------------------------|---|
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |

The person(s) opposite whose name(s) no entry is made in column 6 ^{has}
_{have} been and stand(s) validly nominated.

Dated this day of 19.....

Ward Clerk.]⁴¹

⁴¹ Substituted by section 1(6) of the Act of Common Council of 23 May 1968

**[RETURN TO PRECEPT
CITY OF LONDON, WARD OF
ELECTION OF COMMON COUNCILMEN**

COUNCILMAN

In accordance with the provision of an Act of Common Council made and passed on the 10th day of December 1857, and a precept issued by the Right Honourable The Lord Mayor dated theday of 20....., WE HEREBY CERTIFY that a Wardmote held at on day, the day of20....in and for the said Ward at which presided, the following persons(s) was (were) elected to be a Common Councilman (Common Councilmen) for the said Ward for the ensuing year (for the remainder of the ensuing year):-

| Surname | Other names in full | Place of residence | Date of Freedom of the City and Livery Company (if any) | Description | State whether or not Declaration has been made and subscribed |
|---------|------------------------|--------------------|--|-------------|---|
| | | | | | |

The following appointments were made:-

Deputy

Deputies

Ward Clerk

The following person(s) was (were) elected as Ward Beadle(s):-

Dated this Day of20.....

Presiding Officer

Ward Clerk

N.B. In the absence of either the Presiding Officer or Ward Clerk the return must be signed by either the Presiding Officer or Ward Clerk (as the case may be) and by two of the voters present at the election.]⁴²

⁴²Substituted by section 1(7) of the Act of Common Council of 10 October 2002