

## Report – Policy & Resources Committee

### Report of Urgent Action Taken: Amendment to an Act of Common Council – Aldermanic Elections (Postponement)

*To be presented on Thursday, 22<sup>nd</sup> July 2021*

*To the Right Honourable The Lord Mayor, Aldermen and Commons  
of the City of London in Common Council assembled.*

#### **SUMMARY OF ACTION TAKEN**

1. 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. A report of such matters to the Court of Aldermen shall, as per paragraph 4 of the said 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.
2. Following the death of Alderman Sir Roger Gifford (Alderman of the Ward of Cordwainer since 2004) on 25 May 2021, the Town Clerk was required under the terms of said Act to report this sad occurrence to the Court of Aldermen at its next scheduled meeting, which was due to take place on 6 July 2021. This would cause an election to be held within the Ward of Cordwainer within 42 working days, meaning that, within these timescales, the latest date on which an election could take place would be 3 September 2021.
3. For various reasons, namely: the state of the 2021 Ward List and the importance of a more robust 2022 Ward List, together with 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, your Policy & Resources Committee considered at its meeting on 3 June 2021 that it would be desirable to propose an amendment to the Act of Common Council, such as 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.
4. In the usual order of things, the recommendations of the Policy & Resources Committee would have been submitted to the Court of Common Council as a Bill for an Act of Common Council, to be considered at two successive meetings and with three readings of the Bill. However, in this instance, a more expeditious

approach was considered to be essential in progressing the proposals, noting the time implications outlined above should the Act remain unamended.

5. Consequently, your Policy & Resources Committee also considered that the approval of the Court to the relevant amendments should be sought under urgency procedures (Standing Order No.19), with the usual requirements of Standing Order No.46 (requiring the circulation of the Bill for three readings) explicitly waived as a consequence.
6. Following the settling of the terms of the Bill for Act of Common Council with the Recorder of London, approval was sought and obtained under urgency procedures for the proposed amendments to the Act of Common Council as set out in the Bill at Appendix 1, so as to enable the postponement of the election of an Alderman in the Ward of Cordwainer until after the 2022 Ward List comes into effect, as well as to the waiver of Standing Order No.46 in approving these proposals.

## **RECOMMENDATION**

7. We **recommend** that the actions taken under urgency procedures be noted.

All of which we submit to the judgement of this Honourable Court.

DATED this 1<sup>st</sup> day of July 2021.

SIGNED on behalf of the Committee.

**Deputy Catherine McGuinness**  
Chair, Policy & Resources Committee

**2021**

**A BILL**

For an Act of Common Council to –

Postpone any election to fill a vacancy in the office of Alderman, arising from the death of the incumbent, until a date to be determined in accordance with these provisions and no earlier than March 2022.

**WHEREAS:-**

- (1) From time immemorial there has existed and still exists in the City of London (“the City”) a Common Council consisting of the Lord Mayor, Aldermen and Commons in Common Council assembled and the Common Council have made, passed, ordained and established divers Acts, Ordinances, Rules, Orders and Regulations for the regulation and good government of the City and its Liberties as to them from time to time has been found necessary and expedient;
- (2) There is at present a pandemic of the novel coronavirus Covid-19 that has caused the Common Council to postpone all elections of Common Councilmen until 23 March 2022 and, within the same timeframe, the Court of Lord Mayor and Aldermen to waive the long-standing conventions requiring Aldermen to resign on reaching seventy years of age and on having held office for six years.
- (3) There continue to be concerns about the safety of holding an election under the current circumstances, whilst the impact of the pandemic on occupancy within the City, and on the compilation of the annual ward lists, has resulted in a significant decrease in the number of electors registered in the existing ward lists that are in force until 15 February 2022;
- (4) Section 3 of an Act of Common Council made and passed on the 14th day of July 1960, as substituted by section 2 of an Act of Common Council made and passed on the 17th day of May 1979, provides that if an Alderman of the City dies, the Town Clerk shall report such death to the next regular meeting of the Court of Lord Mayor and Aldermen;
- (5) Section 4 of an Act of Common Council made and passed on the 14th day of July 1960, as substituted by section 5 of an Act of Common Council made and passed on the 16th day of May 2013, provides that the Lord Mayor shall cause a wardmote to be summoned and held for an election to fill the said vacancy within forty-two working days next after the date of the meeting referred to at (4) above;
- (6) A vacancy has arisen in the Ward of Cordwainer, arising from the death of the Alderman, which is due to be reported to the Court of Lord Mayor and Aldermen on 6 July 2021;

- (7) 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 City before that time obtained and used were in any part hard or defective or any things in the City newly arising in which no remedy had been ordained should need amendment the Mayor and Aldermen of the City and their successors with the assent of the Commonalty of the City might put and ordain thereto 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 City and agreeable also 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 the City of London in Common Council assembled and the authority of the same **AS FOLLOWS:**

### **Interpretation**

1. In this Act –

“Act of 1960” means an Act of Common Council made and passed on the 14th day of July 1960 as amended;

“relevant period” means the period of time beginning on the date that this Act comes into force and ending on 15 February 2022 inclusive;

“vacancy” means a vacancy in the office of Alderman arising from the death of the incumbent.

### **Application**

2. Section 3 shall apply to any vacancy that is reported to the Court of Lord Mayor and Aldermen during the relevant period.

### **Timescale to fill a vacancy**

3. Notwithstanding the timescale set out in section 4 of the Act of 1960, the Lord Mayor shall cause a wardmote to be summoned and held for an election to fill a vacancy within forty-two working days next after the date of the first regular meeting of the Court of Lord Mayor and Aldermen following the end of the relevant period.

### **Commencement**

4. The provisions of this Act shall come into force on the day on which it is made and passed as an Act of Common Council.

### **Savings**

5. Save as hereby varied the provisions of the Act of 1960 shall continue in full force and effect.