



Report – Policy and Resources Committee

Bill for an Act of Common Council: To change the date of elections of Ward Beadles

*To be presented on Thursday, 17th January 2013
To the Right Honourable The Lord Mayor, Aldermen and Commons
of the City of London in Common Council assembled.*

Summary

1. On 6th December the Court of Common Council received this Bill for an Act of Common Council for its first and second reading and this submission would represent the third and final reading. You will recall that the purpose of the Bill is to change the date of the elections of Ward Beadles so that these elections continue to coincide with the ordinary elections of Common Councilmen, rather than having two separate wardmotes in each ward for these purposes.
2. Since at least 1663, Ward Beadles and Common Councilmen have been elected at the same wardmotes, and on a number of occasions Acts of Common Council have been passed to ensure that the date of the elections of Ward Beadles continues to coincide with that for the whole number of Common Councilmen.
3. An Act of Common Council was passed recently to change the date of the ordinary elections of Common Councilmen. Whereas previously these elections were held on the second Friday in March in every fourth year, they will in future be held on either the third Wednesday in March, or the fourth Wednesday in March, or in certain circumstances on another date to be determined by the Town Clerk in consultation with the Lord Mayor. Consequential changes were also made to the term of office of Common Councilmen.
4. The date of the elections of Ward Beadles is regulated by a separate Act of Common Council, made on 4 December 2003. With the intention of allowing Ward Beadles to be elected at the wardmotes held for the ordinary elections of Common Councilmen, this Act provided that the elections of Ward Beadles would also be held on the second Friday in March in every fourth year. If no change is made to the existing position it will be necessary to hold two wardmotes in each ward in March 2013, and every fourth year thereafter, for the election of Ward Beadles and Common Councilmen respectively.

Recommendation

5. We recommend that the Bill for an Act of Common Council be approved in the form attached.

Main Report

Purpose of report

6. The purpose of this report is to seek approval to the annexed Bill for an Act of Common Council to change the date of elections of Ward Beadles so that these elections continue to coincide with the ordinary elections of Common Councilmen, rather than having two separate wardmotes in each ward for these purposes.
7. As above, if no change is made to the existing position it will be necessary to hold two wardmotes in each ward in March 2013, and every fourth year thereafter, for the election of Ward Beadles and Common Councilmen respectively.

The proposed solution

8. It is proposed that Ward Beadles continue to be elected at the wardmotes held for the ordinary elections of Common Councilmen. As the date of these wardmotes is no longer fixed by reference to a particular day, it is recommended that the date of the elections of Ward Beadles is in future determined by reference to the date of ordinary elections of Common Councilmen. This would also mean that if, in the future, the date of ordinary elections of Common Councilmen changes again, then the date of the elections of Ward Beadles will automatically change without the need for a further Act of Common Council.
9. By changing the date of the elections of Ward Beadles, consequential changes will also have to be made to realign their term of office. We have also taken the opportunity to propose an amendment to the existing arrangements, to enable an outgoing Ward Beadle to open the wardmote, and to allow for local ward variations as to the precise point in the wardmote at which a Ward Beadle ceases to hold office.
10. It is not proposed to change the current arrangements whereby Aldermen are authorised to fill, by appointment, casual vacancies that may occur in the office of Ward Beadle in their respective wards between elections.

Bill for an Act of Common Council

11. It is necessary to pass an Act of Common Council to give effect to the changes outlined above, and a Bill is annexed for approval. The Recorder of London has settled the terms of this Bill.

Conclusion

12. Following the recent passing of an Act of Common Council to change the date of the ordinary elections of Common Councilmen, these elections no longer coincide with the elections of Ward Beadles. It is recommended that the elections of Ward Beadles be realigned with, and in future fixed by reference to, the date of the ordinary elections of Common Councilmen. This would avoid the need to hold two wardmotes in each ward in March 2013, and every fourth year thereafter. The required changes can be achieved through the proposed Act of Common Council.

All which we submit to the judgement of this Honourable Court

DATED this 8th Day of November 2012
SIGNED on behalf of the Committee

**Mark John Boleat,
Chairman**

To be considered at the Court of Common Council

2013

A BILL

For an Act of Common Council to –

Change the date of the elections of Ward Beadles;

Make incidental and consequential changes to the term of office of Ward Beadles;

Provide that any casual vacancy occurring in the office of Ward Beadle shall be filled by the Alderman of the ward in which the vacancy occurs;

Repeal the Act of Common Council made and passed on the 4th day of December 2003.

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) By an Act of Common Council made and passed on the 4th day of December 2003 it was enacted that as from the coming into force of that Act the elections of Ward Beadles shall take place on the second Friday of March in every fourth year after 2005, which at that time coincided with the date of ordinary ward elections in relation to the whole number of Common Councilmen;
- (3) By an Act of Common Council made and passed on the 13th day of September 2012 it was enacted that ordinary ward elections in relation to the whole number of Common Councilmen shall take place on a date to be determined in accordance with the provisions of that Act;
- (4) It is desirable that the elections of Ward Beadles should continue to take place on the same date as ordinary ward elections in relation to the whole number of Common Councilmen;
- (5) It is desirable to make certain incidental and consequential changes to the term of office of Ward Beadles;
- (6) It is also desirable that the Aldermen of the several wards in the City should continue to be authorised to fill by appointment any casual vacancies occurring in the office of Ward Beadle in their respective wards;
- (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:**

Elections of Ward Beadles

1. Elections of Ward Beadles shall take place on the same date as ordinary ward elections in relation to the whole number of Common Councilmen, as determined in accordance with the provisions of the Act of Common Council made and passed on the 13th day of September 2012 or any other Act of Common Council from time to time amending or replacing the same.

Term of office of Ward Beadles

2. (1) Subject to subsections (2) and (3) any Ward Beadle shall, unless he resigns his office or it otherwise becomes vacant, cease to hold office on the election of his successor, who shall hold office from that point.

(2) The Alderman of the Ward may instead direct that a Ward Beadle shall cease to hold office at some later point in the Wardmote at which his successor is elected, or on the closing of the said Wardmote, in which case his successor shall hold office from that later point.

(3) If no successor to a Ward Beadle is elected at a Wardmote held in accordance with section 1, that Ward Beadle shall cease to hold office on the closing of the said Wardmote.

Casual vacancies in the office of Ward Beadle

3. On a casual vacancy occurring in the office of Ward Beadle, the vacancy shall be filled by appointment by the Alderman of the Ward in which the vacancy has occurred.

Repeal

4. The Act of Common Council made and passed on the 4th day of December 2003 is hereby repealed (except in relation to its repeal of certain provisions of Acts of Common Council made and passed on the 14th day of June 1984 and the 10th day of October 2002 respectively).

Commencement

5. 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.