

Gifford, Mayor



A Court of Common Council holden in the Guildhall of the City of London on Thursday, the sixth day of December, 2012.

Post-implementation Review of the Governance Arrangements

At its meeting on 3 March 2011 the Court agreed a number of changes to the City Corporation's Governance. In approving the new arrangements it was also agreed that a post-implementation review should be undertaken after a year of operation to take stock and to ensure that the revised arrangements were operating effectively. To this end, a Working Party was established by the Court to conduct the post-implementation review.

A consultation exercise on the revised arrangements was subsequently carried out over the summer recess on behalf of the Working Party with both Members and City Corporation Committees. The Working Party has considered the responses in detail and concluded that overall the new arrangements are operating well but that there were one or two areas that required modification.

Whilst the various conclusions and recommendations of the Post-implementation Review of Governance are set out within the Working Party's report, the principal changes recommended are as follows:-

- An increase from 10 to 15 in the number of elected Members on the Establishment Committee, two of whom shall have less than 5 years' service on the Court.
- The Chief Commoner should be elected in October rather than September; should take office at the first Court meeting after the wardmotes and the current arrangement whereby there is an expectation that Aldermen will not vote in the election of that office should be dispensed with.
- The West Ham element of the Open Spaces, City Gardens and West Ham Park Committee should be reconstituted as a separate committee but with the same Court-elected Members on each committee.
- The Corporate Asset and Energy and Sustainability Sub Committees be transferred from the Policy and Resources Committee to the Finance Committee and the Planning and Transportation Committee respectively.
- The Policy & Resources Committee should, in future, elect three Deputy Chairmen with the "chairman-in-waiting" being electing one year before the expected date of an election for Chairman.

We submit for consideration and **recommend** approval of, a printed and circulated report containing the various conclusions and recommendations of the Post-implementation Review of Governance Working Party.

Read.

Of particular relevance to your Committee:-

(Extract from the report)

1. The management of the City Corporation's open spaces is now maintained by three Non-Ward Committees, namely, the Open Spaces, City Gardens and West Ham Park Committee; Hampstead Heath, Highgate Wood and Queen's Park Committee; and the Epping Forest and Commons Committee.
2. Since the new arrangements were introduced in 2011, the Open Spaces, City Gardens and West Ham Park Committee has been concerned over the operation of the Committee in terms of its governance, particularly the speaking and voting rights of various constituent groups, eligibility for Chairmanship, quorum and local observer members. These issues arise in part from the need to comply with the terms of the 1874 Conveyance relating to the management of West Ham Park. Whilst officers have presented potential resolutions to these issues the Committee feels that proposed solutions are overly complex and do not really address the difficulties.
3. In light of this the Committee proposed that its business should be split and a separate West Ham Park Committee established. Further, to ensure a continued link with the Open Spaces & City Gardens Committee, it proposed that the same eight Court of Common Council Members be elected by the Court to serve on both Committees.
4. The Working Party considered this matter in detail and was mindful of the Open Spaces, City Gardens and West Ham Park Committee's dissatisfaction with the current situation. On balance it was felt that the work of the Committee should be split and two separate committees with the same Court of Common Council membership be established.
5. In addition, the Open Spaces, City Gardens and West Ham Park Committee raised the issue of responsibility for future management of the City of London Cemetery and Crematorium. The Working Party noted that the management arrangements would be reviewed in twelve months' time.

Recommendation: That:-

- i) the work currently undertaken by the Open Spaces, City Gardens and West Ham Park Committee be split and a new committee be established for the purposes of the management of West Ham Park to be known as the West Ham Park Committee; that Committee to have the following terms of reference:-
 - a) to have regard to the overall policy laid down by the Open Spaces and City Gardens Committee;
 - b) to be responsible for the ownership and management of West Ham Park (registered charity no. 206948) in accordance with the terms of the conveyance of the Park by John Gurney, Esq., to the City of London Corporation dated 20th July 1874 and in accordance with the Licence in

Mortmain dated 22nd May 1874 and the management of a Nursery; and

c) authorising the institution of any criminal or civil proceedings arising out of the exercise of its functions.

ii) the remaining elements of the work of the Open Spaces, City Gardens and West Ham Park Committee be undertaken by an Open Spaces and City Gardens Committee; that Committee to have the following terms of reference:-

Open Spaces

a) dealing with, or making recommendations to the Court of Common Council where appropriate, all matters relating to the strategic management (eg. policy, financial and staffing) of the City of London Corporation's open spaces where such matters are not specifically the responsibility of another Committee; and

b) the appointment of the Director of Open Spaces.

City Open Spaces

c) the management and day-to-day administration of the gardens, churchyards and open spaces in the City under the control of the Common Council, together with Bunhill Fields Burial Ground;

d) arrangements for the planting and maintenance of trees and other plants and shrubs in open spaces and in footpaths adjacent to highways in the City;

e) advising on applications for planning permission relating in whole or in part to the gardens, churchyards or open spaces in the City under the control of the Common Council; and

f) the functions of the Common Council under the Local Government (Miscellaneous Provisions) Act 1976 to make safe by felling, or otherwise, dangerous trees in the City generally on receipt of notices served on the City of London Corporation in the circumstances set out in Section 23 of the Act and where trees are in danger of damaging property.

iii) the same eight, elected, Court of Common Council Members should serve on the two Committees.

iv) that Standing Order No 22 be amended to ensure that the service of any Member on the Open Spaces and City Gardens Committee and the West Ham Park Committee should count as

one Committee.

- v) that Standing Order No 29 (3)(b) be amended to include the Open Spaces and City Gardens Committee, and the West Ham Park Committee. This is so that Members are eligible to chair both Committees at the same time.

Motion – ‘To agree the recommendations set out in the report relating to the Open Spaces Committees?’

Resolved – That the recommendations set out in the report relating to the Open Spaces Committees be agreed to.