

## Standing Orders of the Court of Common Council

### Contents

PART 1 – Introduction .....	3
1. Application and Interpretation.....	3
2. Suspension.....	3
3. Amendment.....	3
PART 2 – Court of Common Council Meetings .....	4
4. Access to Meetings .....	4
5. Notice of Meetings.....	4
6. Summons .....	4
7. Quorum .....	5
8. Attendance .....	5
9. Reports.....	6
10. Ballots .....	6
11. Conduct of Debate .....	7
12. Motions .....	10
13. Questions .....	12
14. Divisions .....	13
15. Disorder .....	14
16. Duration.....	14
17. Minutes.....	14
18. Chief Commoner .....	15
19. Decisions between Meetings .....	15
20. Petitions .....	16
PART 3 – Committees and Sub-Committees .....	16
21. Appointment .....	16
22. Committee Limit.....	16
23. Ward Committees.....	17
24. Non-Ward Committees .....	18
25. Vacancies.....	18
26. Terms of Reference.....	18
27. Sub-Committees .....	19
28. Joint Committee.....	19
29. Chairs/Chairmen .....	19
30. Deputy Chairs/Chairmen .....	22
31. Ward Reception Committees.....	24
32. Access to Meetings .....	25
33. Notice of Meetings.....	26
34. Summons .....	26
35. Attendance .....	26
36. Quorum .....	27
37. Conduct of Debate.....	27
38. Decisions.....	28
39. Disorder.....	28
40. Duration.....	28
41. Decisions between Meetings.....	28

42. Conferences .....	29
43. Outside Bodies .....	29
PART 4 – Interests .....	29
44. Interests.....	29
PART 5 – Access to Documents .....	29
45. Access to Documents.....	29
PART 6 – Acts of Common Council .....	31
46. Bills and Acts .....	31
PART 7 – Parliamentary Legislation.....	31
47. Bills and Acts .....	31
PART 8 – Finance .....	31
48. Budgets: Resource Allocation, Revenue Estimates and Capital Budgets .....	31
49. Financial Regulations .....	34
50. Project Management.....	34
51. Procurement and Contract Letting.....	35
52. Writing-Off Debts .....	35
PART 9 – Property .....	36
53. Corporate Plans and Strategies.....	36
54. Capital Buildings Board (Policy & Resources Committee) .....	36
55. Acquisitions .....	37
56. Identification of Property Assets Surplus to Departmental and/or Operational Requirements .....	39
57. Freehold Disposals.....	39
58. Leasehold Disposals/Surrenders.....	41
59. Variations.....	42
60. Disposals Subject to Planning Agreements .....	42
PART 10 – Staff .....	43
61. Employee Handbook .....	43
62. Officers .....	43
63. Appointments .....	44
PART 11 – The City Seal .....	47
65. Affixing the Seal .....	47
66. Register of Documents Sealed.....	47

## **PART 1 – Introduction**

### **1. Application and Interpretation**

1. Unless otherwise specified, these Standing Orders shall govern the proceedings of:-
  - (a) the Court of Common Council;
  - (b) Committees and Sub-Committees
2. The person presiding at a meeting of the Court of Common Council (the Lord Mayor) or of a Committee or Sub-Committee (the Chair/Chairman) is the final authority as to the interpretation of Standing Orders.
3. For the purposes of these Standing Orders:-
  - (a) the term “Lord Mayor”, in the absence of the Lord Mayor, applies to the Locum Tenens;
  - (b) the term “Chair” or “Chairman”, in the absence of the elected Chair/Chairman, applies to the person taking the Chair of a Committee, Sub-Committee or Working Party meeting;
  - (c) the term “Member” refers to an elected Member of the Court of Common Council (including Aldermen);
  - (d) references to Committees include Sub-Committees;
  - (e) where there are references to “the Town Clerk”, the Deputy or Assistant Town Clerks or other properly appointed Officer shall be authorised to act in the absence of the Town Clerk or where there is a vacancy in the office of Town Clerk.

### **2. Suspension**

1. The Court shall have the power to suspend, alter or abrogate Standing Orders by resolution carried by a two thirds majority of the Members present and voting.
2. No Committee or Officer may suspend, alter or abrogate a Standing Order unless given authority by the Court to do so.

### **3. Amendment**

1. Any proposal to amend these Standing Orders shall be considered by the Policy & Resources Committee whose recommendations shall be reported to the Court

for approval. Thereafter, the Town Clerk is authorised to make the necessary amendments.

2. The Town Clerk is authorised, after consultation with the Chamberlain,
  - (a) to adjust the financial limits specified in these Standing Orders in line with changes in the value of money, and must do so on an annual basis;
  - (b) to make any consequential amendments to the relevant Standing Orders and report such amendments to the Policy & Resources Committee.

## **PART 2 – Court of Common Council Meetings**

### **4. Access to Meetings**

All meetings are open to the public unless:-

- (a) confidential information as defined in Section 100A(3) of the Local Government Act 1972 is to be discussed; or,
- (b) a resolution has been passed to exclude the public as there is likely to be disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act 1972;

In respect of non-local authority and non-police authority functions this Standing Order is not applied unless the Court of Common Council determines otherwise.

### **5. Notice of Meetings**

Public notice of the time and place of meetings of the Court of Common Council shall be posted in an appropriate place at least five working days before the meeting, or if a meeting is convened at shorter notice, then at the time it is convened.

### **6. Summons**

1. The Town Clerk will issue a Summons, on behalf of the Lord Mayor, for each meeting stating the time at which the Court will meet and the time at which, or after which, any ballots will be conducted.
2. Except in cases of urgency or where circumstances make it impracticable, the Summons and accompanying papers will be sent to Members five clear working days in advance of the meeting.
3. The Town Clerk has discretion, having regard to the convenience of the Court, to settle the order in which items of business appear on the Summons and, if

necessary, during a meeting with the consent of the Lord Mayor and the agreement of the Court to amend the published order of business.

4. When an Address, Memorial, Petition or Remonstrance to the Throne, or to any Member of the Royal Family, is to be considered, on the advice of the Policy & Resources Committee when appropriate, the item shall be taken immediately after the opening of the Court, following the confirmation of the Minutes and the introduction of any new Members, unless the matter is to be considered with the public excluded when it shall be considered at an appropriate time. No such Address, Memorial, Petition or Remonstrance shall be reconsidered or altered after having been agreed to by the Court.
5. On the occasion of the Lord Mayor taking his seat for the first time, an instruction to Members to wear their gowns will be included in the Summons.
6. The Chair/Chairman of the Policy & Resources Committee shall be given the opportunity to provide the Court with a brief statement at each meeting concerning the key policy and strategic issues affecting the City and the work of the City of London Corporation. A maximum of three Members may ask one question in direct response to the Chair/Chairman's statement.

## **7. Quorum**

1. The quorum for meetings of the Court is 40 Members, one of whom must be the Lord Mayor and two of whom must be Aldermen.
2. If a quorum is not established within five minutes of the time stated on the Summons, those present may depart.
3. If, during a meeting of the Court, it is the opinion of the Lord Mayor that a quorum has ceased to exist, business will be suspended whilst the number of Members present is counted and the result announced.
  - (a) If a quorum exists the business will proceed.
  - (b) If a quorum does not exist, the meeting will be dissolved and all remaining business will be adjourned to the next meeting.

## **8. Attendance**

1. The names of Members attending the Court shall be recorded as they enter the Court and printed in the Minutes of the meeting.
2. A Member attending the Court for the first time shall:
  - (a) before taking their seat, be called formally into the Court by the Town Clerk and introduced to the Lord Mayor by the Deputy or another Member of their Ward;
  - (b) be clothed in a mazarine gown by the Remembrancer's representative and conducted to their seat.

## 9. Reports

1. When submitting any proposal to the Court, Committees have discretion to circulate a printed report to every Member of the Court as part of the agenda for the meeting at which it is to be considered.
2. A Sub-Committee or Working Party is not entitled to submit a report to the Court unless it has Terms of Reference approved by the Court which confer the requisite authority on it to do so.
3. A minority of either a Committee or Sub-Committee is not entitled to submit a report to the Court.
4.
  - (a) A report or decision of a Committee or Sub-Committee may be referred to the Court providing that notice of the referral by not less than 20 Members of the Court is submitted to the Town Clerk by no later than 12 noon, nine working days before the meeting of the Court for inclusion in the Summons.
  - (b) A Member seeking to submit a referral on grounds of urgency, notice of which has not been included in the Summons, must inform the Town Clerk of the terms of that referral not less than ~~60 minutes~~ 12noon the day before the ~~time scheduled for the start of~~ the Court so that the Lord Mayor may rule on the need for urgency.
  - (c) No action shall be taken to implement any decision pertaining to the subject of the referral until such time as the Court shall have considered the matter, subject to the proviso that such referral would not preclude a decision being taken and/or implemented that in the opinion of the Town Clerk was necessary for legal reasons or for the efficient conduct of the City Corporation's business.

## 10. Ballots

1. Ballots will be held when:-
  - (a) there is more than one Member seeking appointment to a vacancy on a Committee or to represent the City of London Corporation on an outside body. Members may nominate themselves. Members nominated by others shall be advised by the Town Clerk and requested to confirm or not such nomination. If no response is received, such Member(s) will be considered to be in nomination.
  - (b) a recommendation is made to appoint an Officer whose appointment is in the gift of the Court;
2. Before the votes on a matter to be decided by ballot are counted, the Lord Mayor will nominate two Scrutineers who will supervise the counting of votes.

3. For the purpose of casting their votes, Members must be present in Court when a ballot is called.
4. When one vacancy has to be filled and there are more than two candidates, voters shall mark numbers against candidates' names on ballot papers in order of preference.
  - (a) Upon the absence of any candidate achieving 50% of first preference votes, the candidate with the fewest first preference votes will be eliminated and their votes reallocated according to their second preference therein.
  - (b) Procedure in 10.4(a) is repeated until one candidate has obtained 50% of the votes cast.
  - (c) Without prejudice to the foregoing 10.4(a) and (b), the successful candidate will be the first candidate to obtain 50% of the votes cast in the ballot.
5. When two or more vacancies have to be filled, the candidates with the highest number of votes shall be declared to be elected. Where the available terms are of differing lengths, the longest term shall be awarded to the candidate with the highest number of votes, the next longest term to the candidate with the second highest number of votes, and so on. In the event of an equality of votes, terms shall be allocated according to seniority (the longer term to the more senior Member). Practice can diverge from this only in the event that all parties are in agreement.

## **11. Conduct of Debate**

1. Members must stand in their places (if able to do so) to indicate clearly their wish to speak and if two or more Members rise, the Lord Mayor may select one of them to speak, in which case all other Members must be seated.
2. No Member may speak more than twice on the same question other than the Chair/Chairman of the Policy & Resources Committee (or, in their absence, the Deputy Chair/Chairman) to provide a clarification of policy if such be required.
3. The Mover of a Motion may not speak for longer than ten minutes, plus a further ten minutes in reply to the debate, and any subsequent speaker must not speak for more than five minutes on the first occasion and two minutes on the second occasion except with the consent of the Court (such times to include the putting of the Motion or Amendment).
4. Any Amendment so moved shall relate to the subject matter of the Motion and shall not have the effect of negating the Motion. Upon the amendment being moved, there shall be a pause of no more than five minutes to allow for these amendments to be handed to the Town Clerk in writing, to provide absolute clarity on what is being debated and voted on.
5. Should the Mover of an Amendment to a Motion choose to speak for a second

time on the Amendment, they shall be the penultimate speaker (the Mover of the original Motion being the final speaker on the Amendment). In such circumstances, the Mover of the Amendment must not speak for more than five minutes and the Mover of the original Motion must not speak for more than ten minutes.

6. Every Member must confine their speech strictly to the Motion or Amendment under discussion or to a point of order or explanation, and must not be repetitious. The ruling of the Lord Mayor on issues of relevance or repetition is final.
7. At any time, a Member may raise a point of order or make a personal explanation necessitated by the statement of another Member. Any Member speaking at the time must give way when a point of order or personal explanation is made. The ruling of the Lord Mayor on a point of order or the admissibility of a personal explanation is final.
8. Discussion will not be allowed on:-
  - (a) a Motion to extend the time allowed for the:-
    - i) length of the meeting of the Court;
    - ii) length of time allowed for consideration of Motions;
  - (b) the Mover and Seconder of a Motion or Amendment seeking permission to withdraw or amend that Motion or Amendment;
  - (c) a Motion to adjourn a debate in progress.
9. At any time other than when a Motion in the name of a committee is under discussion, a Member who has not spoken on the original Motion may move '*That the Court proceed to the next item of business*'. If this is seconded, the Motion to proceed to the next item of business shall be put forthwith and without debate unless the Lord Mayor is of the opinion that the Motion is premature or is in any sense an abuse of the rules of the Court. If the Motion is carried, the item of business which was before the Court when the Motion was moved shall not be re-introduced during the same meeting without the consent of the Court.
10. If a Member stands (if able) or otherwise indicates, either while another Member is addressing the Court or, if there is a Motion before the Court, at the conclusion of a speech and moves '*That the question be now put*', and this is seconded and carried, that question shall be put forthwith and without debate unless the Lord Mayor is of the opinion that the Motion is premature or in any sense is an abuse of the rules of the Court. In no case shall the Mover be precluded from a right to reply should they elect to exercise it.
11. A debate may take place upon a Motion for adjournment of the Court, but will be confined to that subject except for instances when the adjournment has been called for emergency purposes (e.g. building evacuation). In these instances, the Lord Mayor will be permitted to adjourn the Court immediately, without opportunity for debate.



12.No Member shall make derogatory personal references or use offensive expressions or improper language to any other Member of the Court or Officers.

## 12. Motions

1. All Motions must relate to matters that are within the powers or duties of the City of London Corporation.
2. All Notices of Motion (other than procedural, those relating to changes of membership of Committees and those to which Standing Order Number 12 (7) applies) must be signed by no fewer than ten Members and be submitted to the Town Clerk by no later than 12 noon, nine working days before the meeting of the Court for inclusion in the Summons.
3. Notices of Motions set out in the Summons shall include the names of the signatories thereto.
4. A Member seeking to move a Motion (other than procedural, those relating to changes of membership of Committees and those to which Standing Order Number 12 (7) applies) on grounds of urgency, notice of which has not been included in the Summons, must inform the Town Clerk, in writing, of the terms of that Motion not less than 9.00am on the day of ~~60 minutes before the time scheduled for the start of the~~ Court so that the Lord Mayor may rule on the need for urgency.
5. The Mover may, with the consent of the Seconder, at any time, withdraw a Motion of which they have given notice, at which time discussion of that Motion shall cease.
6. A time limit of not more than 60 minutes will be allowed for the discussion of Motions put forward by Members. ~~After 45 minutes, w~~When a Mover rises to move a Motion at the commencement of a debate they shall be advised of the remaining time allotted for motions and asked whether they wish to proceed or to have the debate adjourned and carried over to the next meeting. Any Motion so adjourned will be placed first under the item for Motions included on the Summons for the next meeting after any procedural Motions and preceding any Motions not reached within the allotted time.
7.
  - (a) No Motion to rescind or amend any resolution passed within the preceding six months, and no Motion or Amendment to the same effect as one that has been rejected in the preceding six months, or any Motion or Amendment that has been passed over by virtue of Standing Order Number 11 (9), can be proposed unless notice thereof appears on the Summons and bears the names of at least 40 Members.
  - (b) Once a Motion proposed under Standing Order Number 12 (7)(a) has been dealt with by the Court, it shall not be open to any Member to propose a similar Motion or Amendment within a further period of six months.
  - (c) However, the provisions of Standing Orders 7(a) and 7(b) will not apply to Motions or Amendments appearing on the Summons in pursuance of a

recommendation of a Committee nor to resolutions made under the urgency procedures in Standing Order Number 19.

### 13. Questions

1. A Member may ask the Chair/Chairman of a Committee any question:-
  - (a) on an item of the Committee's business that is included in the Summons;
  - (b) on a matter that is not included in the Summons but in relation to which the Court has powers or duties and which affects the City or the City of London Corporation provided that, except in cases of urgency, notice of the question has been given to the Town Clerk in writing not later than 12 noon, two working days before the meeting.
2. A Member seeking to ask a question without due notice as a matter of urgency must inform the Town Clerk in writing of the terms of the question not less than 60 minutes before the time scheduled for the start of the meeting so that the Lord Mayor may rule on the need for urgency.
3. Every question shall be put and answered without discussion, although Chair/Chairmen may decline to answer. Questions are to be circulated, in writing, to all Members upon arrival at the Court meeting. Questions will normally only be answered if the Member giving notice is present to put their question in person. In exceptional circumstances, the Lord Mayor may direct that the Town Clerk puts the question on behalf of a Member who is unavoidably absent and where they consider it would be in the interests of the Corporation that the Court hear the Chair/Chairman's answer.
4. A Chair/Chairman (including the Chairs/Chairmen of any sub-committees which are empowered to report directly to the Court may not speak for longer than five minutes in response to any question or supplementary question except with the consent of the Court.
5. A Member may ask no more than ~~three~~ two questions (excluding supplementaries) at any meeting of the Court.
6. A Member asking a question may ask one supplementary question, and four ~~three~~ other Members may each ask two supplementary questions provided that the supplementary questions arise naturally out of the original question and the answer to it.
7. Any questions that the Town Clerk considers do not relate to matters in which the Court has powers or duties and which do not affect the City or the City of London Corporation will not be allowed.
8. The Town Clerk will, with the consent of the questioner, re-direct a question if they consider it to have been addressed to the Chair/Chairman of an inappropriate Committee.
9. A time limit of not more than 40 minutes will be allowed for the putting and answering of questions, including supplementary questions, and it shall not be in order to move for an extension of that time.

7. Questions not dealt with owing to the expiration of the 40 minutes time limit shall be deferred for consideration at the following meeting and shall be put in advance of other questions, or may, with the consent of the questioner, be answered in writing within two working days, a copy of the answer being placed in the Members' Reading Room.

## **14. Divisions**

1. A Member demanding a Division must stand for that purpose (if able to do so). A Division will not be allowed unless another 11 Members (i.e. 12 in total) stand in their places (if able to do so) to support the demand.
2. If a Division is allowed, the Lord Mayor will ensure that two Tellers for the affirmative and two for the negative are appointed. If there are insufficient Members of the Court willing to act as Tellers, no Division will take place.
3. If a Division is allowed, the Town Clerk will ring the Division bell and at the expiration of three minutes they will ascertain whether a Division is still demanded. If so, the Bar of the Court will be closed after which no Member may enter or leave the Court except for the purpose of recording their vote until the Division has been declared closed.
4. The Town Clerk will repeat the Motion and every Member then present and wishing to vote will cast their vote either for the affirmative or the negative (the Lord Mayor voting without leaving the Chair and having the right to a second, casting vote). The Ayes for the question will go through the Bar of the Court to the right of the Lord Mayor and the Noes through the Bar to the left, the votes being recorded at the respective exits.
5. Members wishing to abstain should remain seated and the Lord Mayor will seek confirmation of their intention before accepting a declaration from the Tellers that every Member wishing to vote has done so, after which the Bar of the Court will be re-opened and Members will return to their seats through the central entrance.
6. The Town Clerk will call for the Tellers' reports and declare the result.

## **15. Disorder**

1. In the event of disorder or a persistent disregard of the authority of the Chair, and if they consider it necessary in the interests of the Court and the City of London Corporation, the Lord Mayor will ask that there be no further interruption. If the interruption continues, they may:-
  - (a) direct the Member(s) of the Court they consider to be abusing the Court to retire for the remainder of the sitting or for such lesser period as they may decide, any such decision to be final;
  - (b) require that a member(s) of the public be removed from the public gallery;
  - (c) at any time if they consider it desirable in the interest of order, suspend a sitting or adjourn a meeting of the Court for such time as they may decide.

## **16. Duration**

If, after three hours from the time appointed for the start of the meeting, the business has not been concluded, the meeting will close, any debate being suspended, and all unfinished business will stand adjourned to the next meeting unless a two-thirds majority of the Members present wish the meeting to continue, and subject to there being a quorum. Items that are so adjourned and which, in the opinion of the Town Clerk, require a decision before the next meeting will be considered in accordance with Standing Order Number 19.

## **17. Minutes**

1. The minutes of the Court will be printed and circulated and will include:-
  - (a) All Motions and Amendments together with the names of the Movers and Seconders and including the names of Movers of reports.
  - (b) The results of any Ballot (pursuant to Standing Order Number 10).
  - (c) The results of any Division (pursuant to Standing Order Number 14).
  - (d) The names of any Members presented to Royal and other Distinguished Persons received at Guildhall.
2. The correctness of the minutes will be verified at the beginning of the following regular meeting of the Court. No discussion shall take place upon the minutes, except upon their accuracy and any question of their accuracy shall be raised by motion.

## 18. Chief Commoner

1. The holder of the Office of Chief Commoner shall be a Common Councillor.
2. The Chief Commoner shall be elected by the Court of Common Council at the October meeting each year.
3. The term of office of the Chief Commoner shall be for a period commencing and ending on the date of the first Court of Common Council after the wardmotes each year.
4. A Member is ineligible to seek election as Chief Commoner if they have previously served the Office of Chief Commoner.
5. Candidates for election to the Office of Chief Commoner shall be nominated by exactly 10 other Members, nominations to be submitted to the Town Clerk by no later than nine working days before the meeting of the Court for inclusion in the Summons. Submissions must be made in writing and accompanied by the signatures of the 10 Members supporting the candidate's nomination.
6. The Chief Commoner shall be:
  - (a) an ex-officio Member of the Policy & Resources Committee.
  - (b) ~~ineligible to chair any City Corporation Committee.~~
7. In the event of a casual vacancy for the Office of Chief Commoner, responsibility for the Office shall fall to the immediate past Chief Commoner until such a time as a new Chief Commoner (or Chief Commoner designate) is elected by the Court.

## 19. Decisions between Meetings

1. Between regular meetings of the Court of Common Council, if, in the opinion of the Town Clerk, it is urgently necessary for a decision to be made, then the powers of the Court may, where lawfully possible, be exercised by the Town Clerk. Before exercising this power, they must obtain the comments of:-
  - the Lord Mayor
  - the Chief Commoner
  - the Chair/Chairman of the Policy & Resources Committee
  - the Chair/Chairman of the Finance Committeeor a nominee of each who shall be, respectively,
  - an Alderman
  - a Past Chief Commoner still in Common Council
  - a Member of the Policy & Resources Committee
  - a Member of the Finance Committee

2. Where the recommendation is made by the Policy & Resources Committee or the Finance Committee then the fourth person shall be the Chair/Chairman of the Planning & Transportation Committee or their nominee from that Committee.
3. Where the recommendation is made jointly by two of the aforementioned committees, then the fourth person shall be the Chair/Chairman of the Port Health and Environmental Services Committee or, if they are also conflicted, another senior Chair/Chairman.
4. The Town Clerk's powers only extend to the approval or non-approval of the recommendation placed before them, not its amendment.
5. Each decision of approval shall be reported to the next regular meeting of the Court with an explanation of the need for the use of this procedure.
6. Each decision of non-approval shall be submitted to the next meeting of the Committee or Sub-Committee making the recommendation and that Committee or Sub-Committee may submit the matter for decision by the full Court if this is still feasible. Where a decision of non-approval is in prospect, the Chair/Chairman of the recommending Committee or their representative shall be informed and allowed to make representations in support of their Committee's decision.

## **20. Petitions**

1. Any Petition (other than for grants of money) intended to be presented to the Court must be lodged at the Town Clerk's office, duly endorsed by the Member presenting, not later than 12 noon ten working days before the meeting of the Court at which it is proposed to present the Petition, which from the time of being lodged shall remain in the custody of the Town Clerk. The wording of the Petition or a summary thereof shall be printed on the Summons for the Court.
2. No Petitioner shall be permitted to address the Court except in reply to questions.
3. Petitions are to be referred by the Court to the relevant Committee(s) for further consideration.

## **PART 3 – Committees and Sub-Committees**

### **21. Appointment**

The annual appointment of Committees of the City of London Corporation will take place at the first regular meeting of the Court of the municipal year, which will normally follow the annual Wardmotes and be held in April.

### **22. Committee Limit**

1. Subject to (3) below no Member shall serve on more than six Committees, be they Ward or Non-Ward Committees;



2. For the purposes of this Standing Order, the following exemptions are to be made:

- ~~Open Spaces and City Gardens Committee~~ Natural Environment Board and the West Ham Park Committee shall count as one Committee.
- Crime and Disorder Scrutiny Committee
- Local Government Pensions Board
- Health & Social Care Scrutiny Committee
- Fraud and Cyber Crime Reporting and Analysis Service Procurement Committee<sup>1</sup>

3. This limit shall not apply:

(a) If a vacancy on a committee has been advertised on at least two occasions and remains unfilled. In such circumstances, a Member may serve on that committee even though it may cause the limit to be exceeded for the remainder of the municipal year.

(b) Where service on Committees is in an ex-officio capacity.

### **23. Ward Committees**

1. Ward Committees comprise at least two Aldermen together with a number of Commoners as detailed in Standing Order No. 23(3).

2. The Aldermen shall be appointed on the basis of nominations by the Court of Aldermen (notwithstanding SO 23(5)).

3. The Commoners shall be appointed on the basis of:-

(a) one Member from each Ward (regardless of whether the Ward has sides) having five or fewer Members;

(b) two Members from each Ward (regardless of whether the Ward has sides) having six or more Members;

(c) one Member representing a Ward or Side of Ward that has agreed to pair with another Ward, which is geographically nearby, for the purpose of representation on one or more Ward Committees;

(d) up to two Members on the Community and Children's Services Committee from Wards with 200 or more residents.

4. Wards shall choose whether to nominate a Member(s) to serve on each of the several Ward Committees.

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<sup>1</sup> The FCCRASP Committee is time limited – this Standing Order is to be deleted upon the expiration of the Committee.

5. In the event that a Ward's Common Councillor/s does not wish, for whatever reason, to be nominated to serve on a Ward Committee, the appointment can, if the Ward so chooses and the Alderman is in agreement, be taken by the Alderman of the Ward.
6. After consultation with the Members of their Wards, the Deputies of the Ward shall submit the nominations to the Town Clerk subject to the following:-
  - (a) the term of office of a Member on a Ward Committee is one year;
  - (b) a Member who has served four terms on a Ward Committee, separately or consecutively, is not eligible for appointment for a further term whilst there is a Member of the Ward who has not served and wishes to do so, unless the majority of the Members of the Ward so decide.
7. If a Ward chooses not to nominate a Member(s) (Common Councillors or the Alderman of the Ward) to serve on a Ward Committee, the Town Clerk shall notify the vacancy to all Members and seek nominations prior to the appointment being made by the Court.

## **24. Non-Ward Committees**

1. Non-Ward Committees comprise Members elected by the Court for either:-
  - (a) a specific term at the end of which, if eligible, the Member must seek re-election; or,
  - (b) an indefinite term subject to annual re-appointment by the Court.
2. Any Member wishing to serve must notify the Town Clerk in writing and all applications received will be listed on the Summons for the meeting of the Court at which the appointment is to be made. If necessary, a ballot will take place in accordance with Standing Order Number 10.

## **25. Vacancies**

1. When a vacancy occurs in any Committee, the Member elected to fill it will continue for the remainder of the term of the Member creating the vacancy, and such part of the term will count as a full term for the purposes of Standing Orders Numbers 23 (5).
2. Prior to the expiry of a completed term of office on a Non-Ward Committee, or when vacancies arise, all Members will be notified by the Town Clerk no less than two weeks before the meeting of the Court.

## **~~26. Terms of Reference~~**

~~Each Committee will have Terms of Reference approved by the Court.~~

**26. [not used].**

## **27. Sub-Committees**

1. The Committees of the City of London Corporation may at any time:-

- (a) constitute, dissolve, or alter the membership of a Sub-Committee set up by them;
- (b) within its terms of reference from the Court, authorise a Sub-Committee to act on behalf of the main Committee;
- (c) appoint a Working Party to consider and report on particular matters but such Working Party shall have no delegated powers.

N.B. The constitution of any new Sub-Committee or Working Party shall be subject to the approval of the Policy & Resources Committee.

2. The Chair and Deputy Chair of a Sub-Committee shall be the Chair and Deputy Chair of the appointing Committee, or their nominee(s), subject to the support of the wider Committee Membership. Policy & Resources Committee can approve exceptions to this practice.

3. The proposed composition of Sub-Committees shall not be increased solely to avoid a ballot for contested vacancies without the consent of the appointing Committee.

4. In instances where the Court of Common Council has appointment rights to a Sub-Committee, these will be made for terms of up to four years (to be determined by the appointing Committee).

5. The quorum for a Sub-Committee shall be any three of its Members, unless otherwise specified by the appointing Committee or the Court.

## **28. Joint Meetings of Committees**

In the event of a reference to a Joint ~~Meeting Committee~~ of any of the Committees of the Court, the quorum shall be nine, comprising no fewer than three Members of each participating Committee.

## **29. Chairs/Chairmen**

1. Each Committee shall have a Chair/Chairman who will:-

- (a) preside at every meeting of the relevant Committee at which they are present;
- (b) sign the minutes of proceedings of the previous meeting when approved as a correct record;
- (c) in case of an equality of votes, have a second casting or casting vote. If the Chair/Chairman is unwilling to exercise a second or casting vote the decision

shall be taken by lot;

(d) determine all questions of order;

(e) have power, after consultation with the Deputy Chair/Chairman, to,

- convene an additional meeting;
- vary the date and/or time and/or place of a scheduled meeting;
- cancel a meeting if, in their opinion, there is insufficient business to warrant the holding of such a meeting or for other reasons.
- Reschedule a meeting if both they and their Deputy Chair/Chairman are no longer able to be in attendance at that meeting and, upon review of the nature of the business intended for the meeting, believe it is in the best interests of the Corporation to do so.

2. The term of service of Chairs/Chairmen, subject to annual re-election, is limited as follows:-

Policy & Resources Committee	5 years*
Finance Committee	5 years*
City of London Police Authority Board	4 years*
<u>Barbican Centre Board</u>	<u>4 years*</u>
Other Committees	3 years*

\*The years to run consecutively.

*(For the purpose of this Standing Order, if a Member is elected to the Chair during the course of the year, a period of service commencing before 1 October shall count as one year; a period of service commencing on or after 1 October shall not count as one year).*

3. A Member is ineligible to seek election as Chair/Chairman of a Ward or Non-Ward Committee (other than a specifically appointed Reception Committee) in the following circumstances:-
  - (a) If they are already a Chair/Chairman of another Committee (Ward or non-Ward), other than in the case of the following Committees:-
    - Gresham (City Side)
    - Health & Social Care Scrutiny Committee
    - Crime and Disorder Scrutiny Committee
    - Health & Wellbeing Board
    - Local Government Pensions Board
    - ~~Open Spaces and City Gardens Committee~~ Natural Environment Board
    - West Ham Park Committee
    - Fraud and Cyber Crime Reporting and Analysis Service Procurement Committee<sup>2</sup>
  - (b) If they are resident in, or a tenant of, any property owned by the City of London Corporation they may not be Chair/Chairman of the Committee or Sub-Committee having control of such property (with the exception of the Community & Children's Services Committee);
  - (c) If they are an ex-officio Member of a Committee;
  - (d) If they are the Deputy Chair/Chairman of the Audit & Risk Management Committee for the time being.
4. At the first meeting of each Committee following the annual appointment, the Town Clerk will seek expressions of interest from Members who are willing and eligible to take the Chair.
5. A Member unable to be present may previously express in writing to the Town Clerk their willingness to serve.
6. The names of those who are willing to serve will be voted on by Ballot. The successful candidate will require a majority of the votes cast. In the absence of any candidate achieving a majority of votes in the first round of voting:
  - (a) the candidate with the fewest votes will be eliminated;
  - (b) if there is more than one candidate securing the fewest but identical number of votes, then a ballot will be held between those candidates to determine which will drop out;
  - (c) candidates may also elect to withdraw at this stage;
  - (d) a further ballot will be held amongst the remaining candidates and the procedure in (a) to (c) repeated until one candidate has obtained a majority

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<sup>2</sup> The FCCRASP Committee is time limited – this Standing Order is to be deleted upon the expiration of the Committee.

of the votes cast.

7. Ex-officio Members of a Committee are not eligible to vote in the election of Chair/Chairman of that Committee other than in the case of the Policy & Resources Committee.

### **30. Deputy Chairs/Chairmen**

1. Each Committee, with the exception of the Policy and Resources Committee, shall have a Deputy Chair/Chairman who will, in the absence of the Chair/Chairman, have the powers, duties and rights of the Chair/Chairman.
2. With the exception of the first and fifth year of a chairmanship, the Policy and Resources Committee shall have three Deputies , one of whom shall be designated the Deputy Chair/Chairman to exercise the formal responsibilities of that role, with the remaining two Vice Chairs/Chairmen.
3. In the case of all Committees:-
  - (a) the immediate past Chair/Chairman, if in Common Council and if willing to serve, will be eligible to serve as Deputy Chair/Chairman for the first year upon the election of a new Chair/Chairman, subject to election by the Committee in the usual way;
  - (b) if the immediate past Chair/Chairman is not in Common Council or is not willing to serve in the office, the Deputy Chair/Chairman (or Deputy/Vice Chairs/Chairmen in the case of the Policy and Resources Committee) will be elected in accordance with Standing Order Number 30 (5);
  - (c) when the immediate past Chair/Chairman has completed their year of office as Deputy Chair/Chairman, all the Members of the Committee with the exception of the said Deputy Chair/Chairman and those who are ineligible by virtue of Standing Order Number 30 (4), are eligible to seek election as Deputy Chair/Chairman.
4. A Member is ineligible to seek election as Deputy Chair/Chairman of a Ward or Non-Ward Committee (other than a specially appointed Reception Committee) in the following circumstances:-
  - (a) if they are resident in, or a tenant of, any property owned by the City of London Corporation they may not be Deputy Chair/Chairman of the Committee or Sub-Committee having control of such property;
  - (b) if they are an ex-officio Member of a Committee they may not be Deputy Chair/Chairman of that Committee except in the case of the immediate past Chair/Chairman for the first year upon election of a new Chair/Chairman.
5. At the first meeting of each Committee following the annual appointment, the Town Clerk will seek expressions of interest from Members eligible for election as Deputy

Chair/Chairman (or Deputy/Vice Chairs/Chairmen in the case of the Policy and Resources Committee) and who are willing to serve.

6. A Member unable to be present may previously express in writing to the Town Clerk their willingness to serve.

7. The names of those who are willing to serve will be voted on by ballot . The successful candidate will require a majority of the votes cast. In the absence of any candidate achieving a majority of votes in the first round of voting:

(a) the candidate with the fewest votes will be eliminated;

(b) if there is more than one candidate securing the fewest but identical number of votes, then a ballot will be held between those candidates to determine which will drop out;

(c) candidates may also elect to withdraw at this stage;

(d) a further ballot will be held amongst the remaining candidates and the procedure in (a) to (c) repeated until one candidate has obtained a majority of the votes cast.

8. The election of the three Deputy/Vice Chairs/Chairmen of the Policy and Resources Committee shall be undertaken as follows:-

(a) The election of a Deputy Chair shall be undertaken first, as follows:-

i. Where the number of candidates is less than or matches the number of vacancies (i.e., one) the candidate will automatically be treated as being elected to office.

ii. In the event of a contest, the names of those who are willing to serve will be voted on by ballot. The successful candidate will require a majority of the votes cast. In the absence of any candidate achieving a majority of votes in the first round of voting:

- the candidate with the fewest votes will be eliminated;

- if there is more than one candidate securing the fewest but identical number of votes, then a ballot will be held between those candidates to determine which will drop out;

- candidates may also elect to withdraw at this stage;

- a further ballot will be held amongst the remaining candidates and the procedure above repeated until one candidate has obtained a majority of the votes cast.

(b) For the election of two Vice Chairs:-

- i. Where the number of candidates is less than or matches the number of vacancies (i.e., two) the candidates will automatically be treated as being elected to office.
- ii. Where there are more candidates than vacancies, a ballot will be undertaken with Members indicating their preferred candidate(s). Members can choose not to vote for the maximum number of candidates.
- iii. Once votes have been cast and counted, any candidate having 50% or more of the number of votes will be elected.
- iv. Unless the candidates each secure 50% of the vote, the candidate with the least number of votes will drop-out automatically. If there is more than one candidate securing the least but identical number of votes then a ballot will be held between those candidates to determine which one will drop-out. Other candidates may also elect to withdraw at this stage.
- v. A further ballot will be held amongst the remaining candidates and any candidate securing 50% or more of the vote will be elected. This process will be repeated until all vacancies are filled.
- vi. There may come a point in the process where a candidate or candidates with the least number of votes drops out, leaving a number of candidates that matches the number of vacancies. In those circumstances, no further ballot is necessary as the candidates will automatically be treated as being elected to office (without having to secure 50% of the vote).

9. Ex-officio Members of a Committee are not eligible to vote in the election of Deputy Chair/Chairman of that Committee other than in the case of the Policy & Resources Committees.

### **31. Ward Reception Committees**

1. Unless there are specific reasons for the arrangements for any hospitality relating to a visiting Head of Government or State (or other guest of the sovereign to whom official hospitality is to be extended) being referred to a Standing Committee, responsibility will be referred to a Ward Reception Committee appointed by the Court.
2. The Town Clerk is authorised to summon the first meeting of the Committee.
3. The appointment of Commoners shall be by rotation within the total membership of the Common Council, and before the appointment of a Ward Reception Committee, the Town Clerk shall notify each Member next on the rota for appointment. If a Member does not wish to serve on the next Ward Reception



Committee, the Town Clerk shall liaise with the next Member on the rota to fill the vacancy.

4. The appointment of Aldermen shall also be by rotation, comprising two Aldermen above the Chair and four Aldermen below the Chair.
5. In the event of an entertainment for which a Ward Reception Committee has been appointed, not taking place, the Aldermen and Commoners serving on that Committee shall be re-appointed on the next available Ward Reception Committee.
6. A Member is eligible to seek election as Chair/Chairman of a Ward Reception Committee in the following circumstances:-
  - (a) provided they have completed two years' service on the Court;
  - (b) provided they are not an ex-officio Member of the Committee;
7. A Member may chair one Royal or State Ward Reception Committee and one Non-Royal or Non-State Ward Reception Committee, in either order. A Member may serve as chair of more than one Ward Reception Committee only where there is specific justification to do so, such as exceedingly close connections with the proposed state. This will be up to the Ward Reception Committee to determine by majority vote.
8. The provisions of Standing Order Number 29 as regards the election of a Chair/Chairman shall be applied at the first meeting of the Committee. Thereafter, the Member elected as Chair/Chairman will, subject to being in Common Council, continue in that office until the function has taken place.
9. If, after the list of Members eligible to serve as Chair/Chairman of a Ward Reception Committee has been read, no Member has sought election, a second list shall be read in which all Members of the Committee are eligible.
10. The Chief Commoner for the time being will serve as the Deputy Chair/Chairman.

### **32. Access to Meetings**

1. All meetings of Committees and Sub-Committees are open to the public unless:-
  - (a) confidential information as defined in Section 100A(3) of the Local Government Act 1972 is to be discussed; or,
  - (b) a resolution has been passed to exclude the public as there is likely to be disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act 1972;

In respect of non-local authority and non-police authority functions this Standing Order is not applied unless a Committee or Sub-Committee determines otherwise.

2. The filming, photographing or making of audio recordings of meetings will be allowed in accordance with the City of London Protocol on the filming/recording of meetings adopted by the Court in May 2014.

### **33. Notice of Meetings**

Public notice of the time and place of meetings of Committees and Sub-Committees will be posted in an appropriate place at least five clear working days before the meeting, or if a meeting is convened at shorter notice, then at the time it is convened.

### **34. Summons**

1. The Town Clerk will issue a Summons for each meeting stating the time and place at which the Committee or Sub-Committee will meet and setting out the order of business.
2. Any Committee may be summoned upon the written requisition of a number of its Members not less than the quorum of the Committee, provided they have business to lay before the Committee. Such business will be set out in detail together with the reason(s) why the matter(s) to be raised could not wait until the next regular meeting.
3. A special meeting of a Committee shall not, except in the case of absolute necessity, be called on the same morning or afternoon as that appointed for the regular meeting or another Committee, and under any circumstances the special meeting shall be called at a different time from that of the other Committee.
4. Except in cases of urgency or where circumstances make it impracticable, the Summons and accompanying papers will be sent to Members five clear working days in advance of the meeting.
5. A limit to the number of Committees to consider a specific item of business shall be limited to no more three (a sub-committee, a Service Committee and a Corporate Committee). The most appropriate Committee(s) in each instance shall be determined by the Town Clerk and relevant Chairs notified to provide an opportunity for objection and reappraisal. In the event of an objection, the final judgement of the Lord Mayor and Chief Commoner shall be sought. It shall not be permitted for this decision to be overturned on the appointment of their respective successors.

### **35. Attendance**

1. Members are entitled to attend meetings of Committees and Sub-Committees of which they are not Members, but must not vote or, without the permission of the Chair/Chairman of the meeting, speak on any matter.
2. If a question is referred by the Court to any Committee to examine and report, the Member moving the reference shall be invited to attend the Committee in the event that they are not a Member of that Committee and shall be permitted to take part in any discussion that may arise therefrom, but not vote on the matter.
3. Consistent with the principles set out in Standing Order 45, in exceptional

circumstances in non-public session (including ~~if~~ when the Independent Appeals Panel, are considering the conduct of a Member of the Court or an co-opted Member in relation to the City of London Corporation's Code of Conduct for Members, deliberations for licensing applications, specific staffing matters or where information has been conferred of the Corporation in confidence by the Royal Household or His Majesty's Government) in non-public session, no Member or co-opted Member who is not a Member of that Committee or Sub-Committee is permitted to attend the proceedings other than those who have been requested or allowed to attend by the Chair or Panel~~by the Panel~~.

### **36. Quorum**

1. The quorum for each Committee shall be set annually by the Court when the Committees are appointed in accordance with Standing Order Number 21.
2. If the quorum is not established within five minutes of the time stated on the Summons, the formal meeting will be dissolved and formal consideration of the business adjourned to the next regular meeting unless, in the opinion of the Chair/Chairman, a special meeting should be called before that date.
3. If, during a meeting of a Committee or Sub-Committee, a quorum ceases to exist the meeting shall adjourn until a quorum is re-established. If there is no reasonable likelihood that it will be re-established, the meeting will be dissolved and all remaining business adjourned to the next meeting. Any items that have not been considered by the meeting before its dissolution and which, in the opinion of the Chair/Chairman, require a decision before the next meeting will be considered in accordance with Standing Order Number 41.

### **37. Conduct of Debate**

1. Every Member must confine their speech strictly to the Report, Motion or Amendment under discussion or to a point of order or explanation, and must not be repetitious. The ruling of the Chair/Chairman on issues of relevance or repetition is final.
2. At any time, a Member may raise a point of order or make a personal explanation necessitated by the statement of another Member. Any Member speaking at the time must give way when a point of order or personal explanation is made. A point of order shall relate only to an alleged breach of Standing Orders or statutory provision. A personal explanation shall be confined to some material part of a former speech by the Member at the same meeting, which may have been misunderstood. The ruling of the Chair/Chairman on a point of order or the admissibility of a personal explanation is final.
3. If a Member stands (or, if unable to do so, indicates otherwise) either while another Member is addressing the Committee or, if there is a Motion before the Committee, at the conclusion of a speech, and moves '*That the question be now put*', and this Motion is seconded and carried, that question shall be put forthwith and without debate unless the Chair/Chairman is of the opinion that the Motion is premature or in any sense is an abuse of the rules of the Committee. In no case shall the Mover be precluded from a right to reply should they elect to exercise it.

### **38. Decisions**

1. Decisions made by Committees will be either unanimous or will represent the view of the majority of those Members present and eligible to vote. The Town Clerk will, if requested, record in the minutes of a meeting the name(s) of any Member(s) dissenting from a majority decision.
2. The Town Clerk will record in the minutes the division of Members' votes, by name, providing this has the support of a fifth of Committee Members present and voting.

### **39. Disorder**

In the event of disorder or a persistent disregard of the authority of the Chair, and if they consider it necessary in the interests of maintaining order, the Chair/Chairman will ask that there be no further interruption. If the interruption continues, they may:-

- (a) direct the Member(s) causing disorder or disregarding their authority to retire for the remainder of the meeting or for such shorter period as the Chair/Chairman may decide. In the event of non-compliance with that instruction, and with the consent of the majority of the Committee to be shown immediately on a show of hands, the Chair/Chairman shall take all reasonable steps for the removal of such Member(s) from the meeting;
- (b) require a member(s) of the public to be removed from the meeting.

### **40. Duration**

If, after two hours from the appointed time for the start of the meeting, the business has not concluded, the meeting will close and any unfinished business will stand adjourned to the next meeting unless a two-thirds majority of the Members present wish the meeting to continue, and subject to there being a quorum.

### **41. Decisions between Meetings**

Between scheduled meetings of each Committee or Sub-Committee, if:

- (a) in the opinion of the Town Clerk, it is urgently necessary for a decision to be made; or
- (b) the Committee or Sub-Committee have delegated power to the Town Clerk to make a decision.

then the powers of the Committee or Sub-Committee may, where lawfully possible, be exercised by the Town Clerk. Before exercising this power, they shall seek and obtain the comments of the Chair/Chairman and Deputy Chair/Chairman of the Committee or Sub-Committee or, failing either of them, their nominees. Other than where circumstances make it impracticable, the wider views of the committee or sub-committee membership shall also be sought. Each action or decision shall be reported to the next regular meeting of the Committee or Sub-Committee.

## **42. Conferences**

1. Members and Officers are authorised to attend events (i.e. conferences, congresses, seminars, meetings, exhibitions etc.) on behalf of the City of London Corporation in accordance with the Business Travel Scheme.
2. The Business Travel Scheme:
  - (a) forms part of the Financial Regulations;
  - (b) defines the various categories of travel on official business;
  - (c) includes a schedule of recognised events attended by Members and/or Officers approved by the Policy & Resources Committee.

## **43. Outside Bodies**

1. A Member may serve as a representative of the City Corporation on no more than six outside bodies at the same time.
2. Standing Order Number 43 (1) shall not apply to ex-officio appointments to outside bodies including those that apply to the Court of Aldermen.

## **PART 4 – Interests**

### **44. Interests**

1. If a matter for decision is under consideration by the Court, or any Committee thereof, in which a Member has an interest they must act in accordance with the provisions of the Localism Act 2011 and the Members' Code of Conduct.
2. If a matter for decision relating to the City of London Corporation's Housing or Barbican Residential Estates is under consideration by the Court, or any Committee thereof, which relates to land in which a Member has a beneficial interest they:-
  - (a) must declare the existence and nature of their interest;
  - (b) subject to the provisions of the Localism Act 2011 and the Members' Code of Conduct in relation to interests may speak but not vote thereon.

## **PART 5 – Access to Documents**

### **45. Access to Documents**

1. A Member of the Court is entitled to inspect, or be provided with a copy of, documents belonging to the City of London Corporation that it is reasonably necessary for them to see in order to carry out their duties as a Common

Councilman or Alderman. Consistent with this presumption of a Member's entitlement to access documents, a Member has a right of access to all documents relating to business transacted or to be transacted at a meeting of the Court of Common Council, a Committee or Sub- Committee as set out in Standing Order Number 45 (2) and (3).

2. In respect of the City Corporation's local authority and police authority functions a Member has a right of access to all documents relating to business transacted or to be transacted at a meeting of the Court of Common Council, a Committee or Sub- Committee, although if it appears to the Town Clerk that information contained in the documents is exempt information by virtue of Schedule 12A to the Local Government Act 1972 they have a discretion to withhold the documents from inspection unless the information relates to the financial or business affairs of any particular person, including the City Corporation (except in respect of contract negotiations), or the information relates to any noticed imposing requirements on a person or direction the City Corporation proposes to make under any enactment, in which case the documents are required to be open to inspection.
3. Standing Order Number 45 (2) shall apply to the City Corporation's non-local authority and non-police authority functions and a Member shall have a right of access to all documents relating to business transacted or to be transacted at any relevant meeting of the Court of Common Council, a Committee or Sub-Committee, unless the Town Clerk determines otherwise.
4. Where a request for access to documents is declined by the Town Clerk, the Member may refer the matter to the Chair/Chairman and the Deputy Chair/Chairman of the appropriate Committee who will consider the advice of the Town Clerk before either granting or refusing the request.
5. A Member has the same right as a member of the public to request information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 and to have that information communicated to them subject to any exemptions on the disclosure of information properly kept confidential.
6. A Member must preserve the confidentiality of any document containing confidential or exempt information that is in their possession.

## **PART 6 – Acts of Common Council**

### **46. Bills and Acts**

1. A Bill for an Act of Common Council shall be printed and circulated to all Members of the Court before it is submitted to the Court.
2. Every Bill shall be submitted to the appropriate Committee(s) for approval and to the Recorder of London for settling before it is submitted to the Court of Common Council and the report of the appropriate Committee (if any) shall be printed and circulated with the Bill.
3. Unless otherwise ordered by the Court of Common Council, a Bill for an Act of Common Council shall be read a first and second time at one meeting of the Court and shall at the next or a subsequent meeting be read a third time and made an Act of Common Council.

## **PART 7 – Parliamentary Legislation**

### **47. Bills and Acts**

1. No active proceedings for or against any Bill in Parliament (beyond such steps in the case of a Private Bill as may be necessary to obtain or preserve a *locus standi*, or the delivery of formal professional retainers) shall be undertaken without the express authority of the Court, save in a case of emergency which shall be reported at the next ensuing Court.
2. It shall be an instruction to the Remembrancer that where in any Act of Parliament it is necessary to mention or describe the Local Authority for the City of London, such Authority shall be stated to be “The Mayor, Aldermen and Commons of the City of London in Common Council assembled”, or “the Common Council”.

## **PART 8 – Finance**

### **48. Budgets: Resource Allocation, Revenue Estimates and Capital Budgets**

1. Resource allocation plans, revenue estimates and five-year capital budgets shall be prepared annually in respect of the City Fund, City’s Cash and the Bridge House Estates.
2. Resource allocation plans for the subsequent financial year shall for:-
  - (a) City Fund and City’s Cash be approved by the Policy & Resources Committee, following previous consideration by the Efficiency & Performance Sub-Committee and the Resource Allocation Sub- Committee; and
  - (b) Bridge House Estates be approved by the Bridge House Estates Board.

3.
  - (a) The Policy & Resources Committee shall determine the basis and assumptions to be adopted in the preparation of detailed revenue estimates and capital budgets for City Fund and City's Cash, together with any provisional resource allocations for those Funds.
  - (b) The Bridge House Estates Board shall determine the basis and assumptions to be adopted in the preparation of detailed revenue estimates and capital budgets for Bridge House Estates, together with any provisional resource allocations subject to any overarching policy or budget set by the Court.
4. For City Fund and City's Cash the requirements of the Local Government Act 2003 and the CIPFA Prudential Code shall be complied with, as follows:-
  - (a) the Chamberlain, as Chief Financial Officer, shall:
    - i. report on the robustness of the estimates and the adequacy of the reserves allowed for in the budget proposals; and,
    - ii. prepare Prudential Indicators in accordance with the Code.
  - (b) Members shall:
    - i. approve the Prudential Indicators as part of the budget setting process by the Court of Common Council; and,
    - ii. have regard to the Chamberlain's advice regarding the robustness of the estimates and the adequacy of reserves.
5. For Bridge House Estates (and any other charity for which the City Corporation is the Trustee), the requirements of charity law, guidance provided by the Charity Commission on financial management, and relevant requirements of the Charities Statement of Recommended Practice shall be complied with as follows:-
  - (a) The Chamberlain as Chief Financial Officer, whether or not acting by and authorized delegate with responsibility for the charity], shall report on the robustness of the budgets and adequacy of the charity's free reserves and other contingency sums allowed for in the budget proposals; and
  - (b) Members shall have regard to the Chamberlain's advice regarding the robustness of the budgets and the adequacy of free reserves and other contingency sums.
6. The Chamberlain is required to monitor against the approved Prudential Indicators for City Fund and City's Cash and report, via the Finance Committee, to the Court of Common Council if they are to be breached.
7. All financial items shall be categorised in accordance with the City Corporation's Financial Regulations and final determination of any categorisation shall be the responsibility of the Chamberlain and generally applied as follows:-



- (a) recurrent revenue items – analysed between central risk, local risk and recharges;
  - (b) one-off revenue projects – analysed between routine revenue projects financed from within existing local risk budgets; and supplementary revenue projects financed from one-off augmentations of local risk resources; and,
  - (c) capital projects.
8. Detailed revenue estimates for the subsequent financial year, including all recurrent revenue items and routine revenue projects, shall for City Fund and City's Cash be submitted to each Spending Committee in accordance with the Policy & Resources Committee determination, and for Bridge House Estates the relevant budgets, analysis of projected movements on reserves and proposed allocation of funding to the charity's primary and ancillary object shall be submitted to the Bridge House Estates Board. Concurrently, schedules of supplementary revenue projects, along with five-year capital budgets, shall for City's Fund and City's Cash also be presented to each Spending Committee, and for Bridge House Estates to the Bridge House Estates Board.
9. The Finance Committee for City Fund and City's Cash, and the Bridge House Estates Board for Bridge House Estates, shall as relevant present to the Court of Common Council in March of each year the following:-
- (a) the revenue estimates for City Fund and City's Cash;
  - (b) the five-year capital budgets and summaries of supplementary revenue projects;
  - (c) the annual budget reports in respect of all revenue and capital proposals for the City Fund and City's Cash, including recommendations as to the Non-Domestic Rate and Council Tax to be levied in the following financial year and the Prudential Code Indicators to apply to the City Fund.
  - (d) The annual budget reports in respect of all revenue and capital proposals for Bridge House Estates, alongside analysis of projected movements on all reserves held over the next three years, including an annual review of the reserves policy and proposed allocation of income to the charity's ancillary object which is surplus to that required for the primary object in that year.
10. No Committee or Officer shall commit the City Corporation to expenditure without the approval of the Court of Common Council, unless otherwise provided for in these Standing Orders.
11. Similar principles to those stated in Standing Order 48(9) shall operate, as appropriate, for income items, such that: where income is received outside the City Fund and City's Cash budget set for the relevant year, or outside the annual budget for a charity for which the City Corporation is charity trustee, the relevant Service Committee (for Bridge House Estates this is the Bridge House Estates Board) shall be required to authorise acceptance of those funds which must be in accordance

with the strategies and plans set for each fund.

12. No proposal (other than the grant or renewal of a lease) shall be carried out, or submitted to the Court of Common Council, until the estimated financial effect has as relevant first been submitted to and approved by the Finance Committee for City Fund and City's Cash, and to the Bridge House Estates Board for Bridge House Estates, unless otherwise provided for in these Standing Orders or authorised under existing officer delegated authority.
13. Where expenditure is necessary for which no provision has been made by the Court of Common Council but which will be wholly reimbursed by a person or organisation separate from the City Corporation, the Chamberlain may authorise such expenditure from a holding account.

## **49. Financial Regulations**

1. The Financial Regulations form part of the City Corporation's overall system of financial management, accountability and control and shall be complied with by all City of London Corporation staff.
2. The Financial Regulations are maintained by the Finance Committee.

## **50. Project Management**

1. Save for Bridge House Estates projects where these responsibilities lie with the Bridge House Estates Board unless reserved to the Court of Common Council:-
  - (a) approval of the City of London Corporation's programme of projects is the responsibility of the Policy and Resources Committee and Finance Committee through the joint Operational Property and Projects Sub-Committee which scrutinises individual projects, and the Resource Allocation Sub-Committee, which considers the overall programme of project activity and its funding.
  - (b) decisions about projects are made in conjunction with Spending Committees and the Operational Property and Projects Sub-Committee and the Court of Common Council for high value projects; and
2. Officers shall ensure that all routine revenue, supplementary revenue and capital projects shall comply with the provisions contained within the City of London Corporation's agreed Project Procedure.
3. The Operational Property and Projects Sub-Committee will periodically review the Project Procedure. Technical adjustments and changes to the Procedure may be authorised by the Policy and Resources Committee.
4. The Town Clerk, in consultation with the Operational Property and Projects Sub-Committee for City Fund and City's Cash or with the Bridge House Estates Board for Bridge House Estates, or the relevant Chair/Chairman and Deputy Chair/Chairman as appropriate, may vary the Project Procedure in relation to individual projects in cases when it is deemed appropriate to do so, with the

exception of:-

i. Approval of schemes for refurbishment or re-development or reinstatement of up to £5,000,000 per scheme / per property, for investment properties, with funding either from the relevant sales pool, providing the sales pool is in credit with sufficient funds to cover the total cost of the scheme, or from other appropriate sources will be granted, as provided for within the Scheme of Delegations to Officers.

5. The Town Clerk will produce and keep up to date guidance for Officers, in the form of a Project Toolkit, to ensure that the Project Procedure is followed.

## **51. Procurement and Contract Letting**

1. All procurement and contracts activity will be undertaken by Officers in accordance with the City of London Corporation's agreed Procurement Regulations.
2. The Operational Property and Projects Sub Committee will periodically review the Procurement Regulations and may authorise any technical adjustments. Significant changes to the Regulations require the approval of the Court of Common Council. The Bridge House Estates Board shall be consulted in advance of any changes adopted which will have an impact upon the charity.
3. The Chamberlain will produce and keep up to date guidance for Officers to ensure the Procurement Regulations are followed.

## **52. Writing-Off Debts**

1. Any Committee appointed by the Court of Common Council may agree, with the concurrence of the Chamberlain, to the writing-off of a debt due to the Corporation if satisfied that:-

(a) the debt is no longer recoverable at law; or,

(b) the cost to the City Corporation of commencing or continuing recovery at law is likely to exceed the amount of the debt or the balance uncollected; or,

(c) there are reasonable grounds for writing-off the debt subject to the amounts in excess of £500,000 for investment property debt, and £100,000 for all other City Fund and City's Cash being approved by the Finance Committee and for Bridge House Estates being approved by the Bridge House Estates Board.

*(NB. 1. Standing Order Number 52 (1) (c) shall not apply to the Barbican Centre Board*

*N.B. 2. The financial limit for writing-off school fees shall be £3,500 per term).*

2. Each Committee's powers under (1) above are delegated to specific\_the relevant

Chief Officers in accordance with the relevant sections of the Scheme of Delegations.

## **PART 9 – Property**

### **53. Corporate Plans and Strategies**

1. The City of London Corporation shall develop and adopt plans and strategies for the management and investment of its property assets as follows:-
  - (a) Corporate Asset Management Strategy which shall be subject to regular review (not less than every five years) by
    - the Operational Property and Projects Sub-Committee and approval by the Policy & Resources Committee for City Fund and City's Cash; and
    - The Bridge House Estates Board for Bridge House Estates;
  - (b) Investment Property Strategies which shall be subject to annual reports and regular review (not less than every three years) by
    - the Property Investment Board, Finance and Policy & Resources Committees for City Fund and City's Cash, and
    - the Bridge House Estates Board for Bridge House Estates.
2. The plans and strategies referred to in Standing Order Number 53 (1) shall be based on assumption that all property transactions are on open market terms.
3. All property transactions shall be made in accordance with the plans and strategies referred to in Standing Order Number 53 (1).
4. Any proposed property transactions, including transactions which together form part of a series of transactions, that are not in accordance with the plans and strategies referred to in Standing Order Number 53 (1) or are not based on open market terms shall be subject to the approval of,
  - (a) the originating Committee and the Operational and Property Sub-Committee (for non-investment property) and the Property Investment Board (for investment Property) for City Fund and City's Cash, and the Bridge House Estates Board for Bridge House Estates; and
  - (b) the Court of Common Council if required by the parameters set out in Standing Orders Numbers 55, 57 (2), 58 and 59.

### **54. Capital Buildings Board (Policy & Resources Committee)**

Where projects have been referred to, or are within the remit of, the Capital Buildings Board, decisions in relation to the acquisition and disposal of properties related to the project, including disposal or alternative use of current operational properties to be vacated on completion of the project, shall sit outside of the normal Standing Orders (53-60) governing acquisitions and disposals.

## 55. Acquisitions

1. For the purpose of this Standing Order, the following definitions shall apply:-

### **City Fund & City's Cash:-**

- “investment property assets” - properties within the remit of the Property Investment Board that are managed by the City Surveyor as investments yielding capital and/or revenue returns.
- “operational property assets” - properties within the day to day control of committees that are held primarily for the provision of operational services by or on behalf of the City of London.

### **Bridge House Estates:-**

- “investment property assets” properties, whether endowment or invested income funds, which are managed by the City Surveyor as investments yielding capital and/or revenue in accordance with the investment strategies and policies set for the charity.
- “operational property assets” properties which are held for use by the charity.

2. Acquisitions of interests in investment property assets shall follow the City Corporation's agreed Investment Property Acquisition Procedure adopted for each Fund and require the following approvals:-

### **City Fund:-**

<b>Total Acquisition Costs</b>	<b>Approval by</b>
Less than £5,000,000	Property Investment Board and Finance Committee
£5,000,000 and above	Property Investment Board, Finance Committee and Court of Common Council

**City's Cash:-**

<b>Total Acquisition Costs</b>	<b>Approval by</b>
Less than £5,000,000 (subject to funding being available in the relevant Designated Sales Pool)*	Property Investment Board and Finance Committee
£5,000,000 and above	Property Investment Board, Finance Committee and Court of Common Council

**Bridge House Estates:-**

<b>Total Acquisition Costs</b>	<b>Approval by</b>
Less than £5,000,000 (subject to funding being available in the relevant Designated Sales Pool)*	Bridge House Estates Board
£5,000,000 and above	Bridge House Estates Board and Court of Common Council

*\*If funding is not available in the relevant Designated Sales Pool the approval of the Court of Common Council shall also be required.*

3. Acquisitions of interests in operational property assets, and for Bridge House Estates this includes a decision to re-purpose investment property as an operational property asset, shall require the following approvals:-

**City Fund & City's Cash:-**

<b>Total Acquisition Costs</b>	<b>Approval by</b>
Less than £2,500,000	Spending Committee and Operational Property and Projects Sub Committee
£2,500,000 and above	Spending Committee and Operational Property and Projects Sub Committee and Court of Common Council

### **Bridge House Estates:-**

<b>Total Acquisition Costs</b>	<b>Approval by</b>
Less than £2,500,000	Bridge House Estates Board
£2,500,000 and above	Bridge House Estates Board and Court of Common Council

### **56. Identification of Property Assets Surplus to Departmental and/or Operational Requirements**

1. Committees are required to consider the effective and efficient use of all operational property assets within their management and control. For City Fund and City's Cash property this will be monitored by the Operational Property and Projects Sub-Committee. For Bridge House Estates property this will be monitored by the Bridge House Estates Board.
  
2.
  - (a) For City Fund and City's Cash operational property, where assets are no longer required, in whole or in part, for the provision of operational services for which they are currently held, a report on the circumstances must be made to the Operational Property and Projects Sub-Committee. This does not apply where lettings are an integral part of the service e.g. market or housing tenancies.
  
  - (b) For Bridge House Estates operational property, where assets are no longer required for use by the charity, a report on the circumstances must be made to the Bridge House Estates Board.

### **57. Freehold Disposals**

1. Disposals of freeholds subject to 2000 year leases and of former freehold highway land shall for City Fund and City's Cash be subject to the approval of the Property Investment Board (investment property assets) or the Operational Property and Projects Sub-Committee (for non-investment property assets), and for Bridge House Estates be subject to the approval of the Bridge House Estates Board.
  
2. All other freehold disposals shall require the following approvals:-

**City Fund and City's Cash:-**

<b>Anticipated Receipt</b>	<b>Approval By</b>	
	<i>Investment Property Asset</i>	<i>Non-Investment Property Asset</i>
Less than £1,000,000	Property Investment Board	Officer Delegation
£1,000,000 to less than £5,000,000	Property Investment Board and Finance Committee	Officer Delegation
£5,000,000 and above	Property Investment Board, Finance Committee and Court of Common Council	Operational Property and Projects Sub-Committee and Court of Common Council

**Bridge House Estates:-**

<b>Anticipated Receipt</b>	<b>Approval By</b>	
	<i>Investment Property Asset</i>	<i>Non-Investment Property Asset</i>
Less than £5,000,000	Bridge House Estates Board	Officer Delegation
£5,000,000 and above	Bridge House Estates Board and Court of Common Council	Bridge House Estates Board and Court of Common Council



## 58. Leasehold Disposals/Surrenders

1. All lettings shall be subject to the following:-

- (a) lettings for a period of 30 years or less, including lease renewals and the grant of easements, wayleaves and similar arrangements as well as all rent reviews, shall be solely subject to the approval of the Committee having control of such property or any properly authorised Officer (under the scheme of delegations):-
- (b) for City Fund and City's Cash the grant of any lease at less than full rack rental value for a period of 175 years or less (including optional extensions of term) shall require the approval of the Property Investment Board (investment property assets) or the Operational Property and Projects Sub-Committee (for non-investment property assets), any premium being subject to the following approvals:-

### City Fund and City's Cash:-

Anticipated Premium Receipt (1) (2)	Approval By	
	<i>Investment Property Asset</i>	<i>Non-Investment Property Asset</i>
Less than £2,500,000	Officer Delegation	Officer Delegation
£2500,000 to less than £5,000,000	Property Investment Board and Finance Committee	Operational Property and Projects Sub-Committee
£5,000,000 and above	Property Investment Board, Finance Committee and Court of Common Council	Operational Property and Projects Sub-Committee and Court of Common Council

- (c) for Bridge House Estates the grant of any lease at less than full rack rental value for a period of 175 years or less (including optional extensions of term) shall require the approval of the Bridge House Estates Board, any premium being subject to the following approvals:-

### Bridge House Estates:-

Anticipated Premium Receipt (1) (2)	Approval By	
	<i>Investment Property Asset</i>	<i>Non-Investment Property Asset</i>
Less than £5,000,000	Bridge House Estates Board	Bridge House Estates Board
£5,000,000 and above	Bridge House Estates Board and Court of Common Council	Bridge House Estates Board and Court of Common Council

(1) For the purpose of these Standing Orders 'receipt' means receipt by the City of London Corporation.

(2) And where the rent is no more than £1,000,000

- (d) the granting of long leases for a peppercorn rent without a premium, where there are no additional financial implications, for example, leases for substations with UKPN, will be approved as per the Scheme of Delegations to officers.

## 59. Variations

1. Minor variations (i.e. those which do not affect the open market value of the property) to the terms of ground lease restructurings, disposals, acquisitions and other transactions, or to leases being taken by the City of London Corporation as tenant (whether as trustee of Bridge House Estates or otherwise), and where the variations are necessary to complete the transaction expediently shall be subject solely to the approval of the Committee having control of such property or any properly authorised Officer.
2. Other variations to the terms of an existing lease, tenancy, licence or other agreement relating to property shall be subject to the following approvals:

Variation to lease income*	Premium Receipt*	For City Fund and City's Cash - Approval by	For Bridge House Estates – Approval by
Less than plus or minus 15%	Less than 12 months' income	Officer delegation	Officer Delegation
More than plus or minus 15%	More than 12 months' income	Committee controlling the property and Finance Committee.	Bridge House Estates Board
-	Any premium more than £2,500,000	Committee controlling the property, Finance Committee and Court of Common Council	Bridge House Estates Board and Court of Common Council

*\*Whichever is the higher value between the variation to lease income and anticipated premium receipt.*

## 60. Disposals Subject to Planning Agreements

When land held by the City of London Corporation as freeholder (whether as trustee of Bridge House Estates or otherwise) is approved for redevelopment subject to a planning agreement under Section 106 of the Town & Country Planning Act 1990, the following shall be solely subject to the approval of the Committee having control of such property or any properly authorised Officer:-

- (a) the inclusion of a condition within any disposal that the freeholder or lease holder must adhere to the terms of the planning agreement; and,

- (b) consenting to the City Corporation's land being bound by the planning obligations in the planning agreement.

## **PART 10 – Staff**

### **61. Employee Handbook**

The City of London Corporation's employment terms and conditions and the Code of Conduct for employees are contained within the Employee Handbook which is maintained by the Corporate Services Committee.

### **62. Officers**

1. No person shall be eligible to be appointed or elected by the Court to any paid office if that person:-
  - (a) is a Member of the Court;
  - (b) has been a Member of the Court within 12 calendar months of the election, unless the paid office or situation has become vacant since the person ceased to be a Member of the Court.
2. If any person holding any place of emolument in the gift or appointment of the Court accepts the office of Alderman or Common Councilman of the City, their place shall be immediately vacated.
3. The creation of posts of Grade I or above requires the approval of the appropriate Chief Officer, the Corporate Services Committee and the Court of Common Council. The re-designation of posts of Grade I and above, where there are no grading implications, must be referred to the Town Clerk or the Service Committee where appropriate.

## 63. Appointments

1. All appointments for Chief Officer posts are subject to the City Corporation's Chief Officer Appointment Procedure, subject to the appointment of the following posts being made by the Court of Common Council:-
  - Town Clerk & Chief Executive
  - Chamberlain
  - Commissioner of the City of London Police
  - Comptroller & City Solicitor
  - Remembrancer
2. All appointments for designated Deputy Chief Officer posts are subject to the Chief Officer Appointment Procedure.
3. A Member of the Court shall not request for any person any appointment with the City of London Corporation, but this shall not preclude a Member from giving a written testimonial of a candidate's ability, experience or character to the City of London Corporation with or in connection with an application for appointment.
4. Each Member and senior employee of the City of London Corporation shall disclose to the Town Clerk any relationship known to them to exist between themselves and any person whom they know to be a candidate for an appointment with the City of London Corporation. The Town Clerk shall report to the Common Council, the Committee or the Chief Officer making the appointment any disclosure made to him under this Standing Order.

*(N.B. For the purposes of this Standing Order, 'senior employee' means the Chief Officer, their deputy, or an employee making the particular appointment, and persons shall be deemed to be related if they are husband and wife or if either of them or the spouse of either of them is the son or daughter or grandson or granddaughter or brother or sister or nephew or niece of the other, or of the spouse of the other, including in each case step or adoptive relationships).*

## 64. Disciplinary Action

1. In the following paragraphs:
  - (a) “Chief Finance Officer”, “Disciplinary Action”, “Head of the Authority’s Paid Service” and “Monitoring Officer” have the same meaning as in regulation 2 of the Local Authorities (Standing Orders) (England) Regulations 2001.
  - (b) “Relevant Officer” means the Head of Paid Service (Town Clerk), Chief Finance Officer (Chamberlain) or Monitoring Officer (Comptroller and City Solicitor), as the case may be.
  - (c) “Commissioning Chairs/Chairmen” means the Chairs/Chairmen of the Policy and Resources Committee, Finance Committee and Corporate Services Committee.
  - (d) “independent person” means a person appointed under section 28(7) of the Localism Act 2011.
  - (e) “the Panel” means a Committee appointed by the Court of Common Council under section 102(4) of the Local Government Act 1972 for the purposes of advising the Court of Common Council on matters relating to the dismissal of Relevant Officers of the City of London Corporation.
  - (f) “Relevant Meeting” means a meeting of the Court to consider whether or not to approve a proposal to dismiss a Relevant Officer.
  - (g) “The Regulations” mean the Local Authorities (Standing Orders) (England) (Amendments) Regulations 2015.
  - (h) “Local Government Elector” means a person registered as a local government elector in the register of electors for the City of London Corporation in accordance with the Representation of the People Acts.
2. A Relevant Officer may not be dismissed by the City of London Corporation unless the procedure set out in the following paragraphs is complied with.
3. Any complaints regarding a Relevant Officer will be considered by the Commissioning Chairs/Chairmen. The Commissioning Chairs/Chairmen will manage and oversee the investigation of these complaints and determine the appropriate action to take.
4. Where the Commissioning Chairs/Chairmen consider there is a case to be answered that could result in dismissal, a meeting of the Panel will be convened.
5. If the Commissioning Chairs/Chairmen then recommend the dismissal of a Relevant Officer, the Regulations require that the decision to dismiss is approved by the Court of Common Council. The Regulations require that the Court of Common Council considers:

- (a) any advice, views or recommendations of a properly appointed Panel (the Statutory Officer Review Panel);
- (b) the conclusions of any investigation into the proposed dismissal; and
- (c) any representations from the Relevant Officer.
6. The Court of Common Council must invite relevant independent persons to be considered for appointment to the Panel, with a view to appointing at least two such persons to the Panel. "Relevant independent person" means any independent person who has been appointed by the Court of Common Council or, where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the Court of Common Council considers appropriate. This role will be fulfilled by the Independent Persons appointed to the Independent Appeals Panel.
7. The Statutory Officer Review Panel comprises the following Members of the Court of Common Council:
- The Chief Commoner;
  - Chair/Chairman of Planning and Transportation Committee;
  - Chair/Chairman of Port Health and Environmental Services Committee;
  - Chair/Chairman of the Markets Board Committee;
  - Chair/Chairman of the City of London Police Authority Board;
  - two Independent Persons appointed to the Independent Appeals Panel.
8. The Regulations state that the Independent Persons must be appointed to the Panel in accordance with the following priority order (subject to such relevant independent persons accepting the invitation):
- (a) a relevant independent person who has been appointed by the Court of Common Council and who is a local government elector;
- (b) any other relevant independent person who has been appointed by the Court of Common Council;
- (c) a relevant independent person who has been appointed by another authority or authorities.
9. The Court of Common Council must appoint any Panel at least 20 working days before the relevant meeting. In the event that this requirement sets a deadline for appointment of the Panel which falls between the first meeting of the Court of Common Council in any municipal year and the election of the Chair/Chairman of any of the Committees specified at Standing Order 64(7), the Chair/Chairman of the Committee for the previous municipal year will be considered to continue to serve as the Chair/Chairman of the Committee and therefore be appointed to the Panel.

10. The role of the Panel is to review the findings of the disciplinary investigation and report of the Commissioning Chairs/Chairmen including any representations made by the Relevant Officer. The Panel is then to provide its advice, views or recommendations to the Commissioning Chairs/Chairmen.
11. Any remuneration, allowances or fees paid by the City of London Corporation to an independent person appointed to the Panel must not exceed the level of remuneration, allowances or fees payable to that independent person in respect of that person's role as independent person under the Localism Act 2011.
12. If dismissal is proposed, the Commissioning Chairs/Chairmen will report to the Court of Common Council with the findings of the investigation and the advice, views or recommendations of the Panel. The Relevant Officer will have the opportunity to make representations. Any action to dismiss the officer must be agreed through a vote of the Court.
13. Officers shall ensure that consideration of any disciplinary action relating to a Statutory Officer, including possible dismissal, shall comply with the provisions contained within the City of London Corporation's Statutory Officer Disciplinary Procedure.

## **PART 11 – The City Seal**

### **65. Affixing the Seal**

1. The City Seal shall not be fixed to any document unless:-
  - (a) the document has been approved by one of the Law Officers;
  - (b) the sealing has been authorised by a resolution of the Court or of a Committee to which the Court has delegated its powers on its behalf.
2. A resolution of the Court (or of a Committee thereof where that Committee has the power) to authorise the acceptance of any tender, the purchase, sale, letting or taking of any property; the issue of any stock; the presentation of any petition, memorial, or address; the making of any rate or contract; or any other matter, shall be a sufficient authority for sealing any document necessary to give effect to the resolution.
3. The affixing of the City Seal shall be attested by the Town Clerk or by their duly appointed representative or by the Comptroller & City Solicitor or by their duly appointed representative.

### **66. Register of Documents Sealed**

The Town Clerk shall keep a Register recording details of each sealing.