

<b>Committee(s)</b> Policy & Resources Committee – for information	<b>Dated:</b> 21/09/2023
<b>Subject:</b> Decisions taken under delegated authority or urgency powers	<b>Public</b>
<b>Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?</b>	See Background Report
<b>Does this proposal require extra revenue and/or capital spending?</b>	See Background Report
<b>If so, how much?</b>	See Background Report
<b>What is the source of Funding?</b>	See Background Report
<b>Has this Funding Source been agreed with the Chamberlain’s Department?</b>	See Background Report
<b>Report of:</b> Town Clerk	<b>For Information</b>
<b>Report author:</b> Chris Rumbles, Town Clerk’s Department	

### **Summary**

This report advises Members of action taken by the Town Clerk in consultation with the Chairman and Deputy Chairman, in accordance with Standing Order Nos. 41(a) and 41(b).

### **Main Report**

#### **Urgent Decision: Equality, Diversity and Inclusion Sub-Committee – Court of Common Council Appointments**

##### **BACKGROUND:**

The Equality, Diversity and Inclusion Sub-Committee (EDI) is a sub-committee of Policy & Resources and was re-constituted in May 2023, with the following composition including:

- Two Court of Common Council Members appointed by the Court

In June 2022, Dr Joanna Abeyie and Alpa Raja were elected by the Court for a term expiring in April 2023.

The first meeting of EDI in the 23/24 civic year had been scheduled for early June 2023, however, as the meeting date approached, officers in the Governance Team realised that this meeting date was not feasible, as Court would not yet have appointed its representatives. With this in mind, the Chairman agreed to defer the meeting to the 7 July 2023, noting that the Court’s representatives would be appointed at the Court of Common Council on 22 June 2023.

Unfortunately, due to an administrative oversight, these vacancies were not advertised within the period dictated by a new Standing Order 25(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.*

As such, the Court's EDI appointments could not be made until it meets again on 20 July.

Members would have been in a position whereby they, once again, had an incomplete sub-committee for their next scheduled meeting date, and it would not be fully appointed until its next meeting in the autumn.

In the interests of ensuring the crucial work of the EDI Sub was being exercised with oversight from all relevant appointing bodies, it had been proposed that the Policy & Resources Committee agree to continue Dr Abeyie and Ms Raja's appointment for the meeting scheduled on 7 July only.

The vacancies would still be advertised for appointment at the next Court meeting (20 July 2023).

A new public webpage was being developed and rolled out to ensure that all committee vacancies are advertised to Members as soon as they are known. This should help prevent any future issues caused by human error when issuing future Court Vacancy Letters.

#### **REASON FOR URGENCY:**

This matter was drawn to officers' attention after the Court meeting held on 22 June 2023 and it was considered prudent to consider matters ahead of the next Policy & Resources meeting (6 July) to allow sufficient time to action the outcome, as the EDI meeting was scheduled for 7 July.

Approval was therefore sought and granted by the Town Clerk, in consultation with the Chairman and Deputy Chairman of Policy and Resources Committee to: -

- Rollover the appointment of Dr Joanna Abeyie and Alpa Raja to the Equality Diversity and Inclusion Sub-Committee up to, until the next Court of Common Council meeting (20 July 2023).

#### **Urgent Decision: Shining Stars Care Leavers Dinner**

##### **BACKGROUND:**

On the 14<sup>th</sup> July 2023, the first pan-London celebration of care experienced young professionals was taking place. This event, organised by the Virtual Headteachers Network, was being hosted by the City of London Corporation and included care leaver representatives from each London borough. While sponsorship had been arranged for a number of elements of the event, there remained a funding gap of £7,775 for catering and other necessary administration costs, such as security and logistics.

While there had been an ambition for the event to be fully sponsored, this was not possible due to the short timeframe within which the ceremony was planned.

To ensure that the event was able to go ahead, and to avoid the potential of reputational damage through its cancellation, Policy Initiatives Fund financial support was requested to fund the funding shortfall.

This event would showcase the City Corporation as a key London convener of care leavers, supporting those who are likely to have had less opportunity than many others in their childhood. One care experienced young professional from each borough has been nominated by their virtual head to receive an award. Every award has been sponsored.

Other costs have been mitigated; the Old Library space was being provided free of charge and the Partnership for Young London had provided the administration support in terms of bookings, and support on the day. The event would be attended by a Deputy Mayor of London, and a congratulatory video from the Mayor of London was also to be shown at the event.

**REASON FOR URGENCY:** A decision through urgency procedure had been requested as the shortfall in funding had been identified following the most recent Policy and Resources Committee meeting in July, and with the event taking place before the next scheduled meeting of Policy and Resources Committee in September.

Approval was therefore sought and granted by the Town Clerk, in consultation with the Chairman and Deputy Chairman of Policy and Resources Committee to: -

- Approve a spend of £7,775 from the 2023/24 Policy Initiatives Fund (PIF), categorised as Events and charged to City's Cash to fund the catering and other costs required for the administration of the Shining Stars ceremony, such as security and logistics.

### **Delegated Decision: Port Health & Environmental Services Committee – Renaming**

#### **BACKGROUND:**

At its meeting of March 2023, the Policy & Resources Committee agreed revised scope of the Project Governance Review, to include a review of Member Governance including (but not limited to) Capital Buildings Board, Operational Property and Projects Sub-Committee, Markets Board and other associated Committees.

At its meeting of 6 July 2023, the Policy & Resources Committee considered the outcome of this review, conducted by Paul Martin. One of the recommendations within Paul Martin's report was for the abolition of the Markets Board, with all responsibilities therein to be transferred to the Port Health & Environmental Services Committee (PHES).

Whilst a debate took place and some Members disagreed with the proposed abolition of the Markets Board, the Policy & Resources Committee ultimately agreed to uphold this specific recommendation, which was to be referred to the Court of Common Council on 20 July 2023.

During discussion on the item, Members did feel that, on balance, the deletion of the Board gave the inaccurate impression that its associated responsibilities were also being deleted, when they were to be transferred to PHES. The Policy & Resources

Committee consequently agreed to recommend a change of name of PHES to include reference to 'markets', to better reflect the new proposed structures.

The Committee did not reach an agreement on a final name on the basis that Members wanted extra time to consider the matter and to offer Members of PHES to share their view; as such, granted delegated authority to the Town Clerk, in consultation with the Chairman and Deputy Chairman of Policy and Resources Committee, and Members of Port Health and Environmental Services Committee.

Approval was therefore sought and granted by the Town Clerk, in consultation with the Chairman and Deputy Chairman of Policy and Resources Committee, and Members of Port Health and Environmental Services Committee to:

- Recommend a change of name of "Port Health & Environmental Services Committee", to "Port Health, Environmental Services & Markets Committee".
- Agree that, upon approval by the Court of Common Council, all other references to Port Health & Environmental Services in Court Orders, the Officer Scheme of Delegation and Standing Orders, be updated to reflect the correct name and the Town Clerk be authorised to take such action as may be required to give effect to this.
- Note that the name change will not be needed and will not proceed if the transfer of responsibilities from the Markets Board to this Committee is not agreed by the Court.

### **Urgent Decision: Bank Junction Improvements Project: "All Change at Bank" – Traffic and Timing Review – Gateway 5 Issues Report**

#### **BACKGROUND:**

The "All Change at Bank" project, approved in December 2021, is intended to improve the safety, air quality and pedestrian experience of the area around Bank Junction, whilst reflecting the historic and iconic surroundings with the appropriate sense of place. It involves the significant reduction of traffic movements through the Junction.

In April 2022, the Court of Common Council requested that the Planning & Transportation Committee bring forward a review of the traffic and timing mix of the restrictions being put into place at Bank. This was to provide for a full assessment of traffic options at the Junction, from retaining cycle and bus use only, to permitting taxi, powered two wheelers or full vehicular access.

Much work was undertaken thereafter and a number of challenges in progressing this review were noted, together with significant risks regarding the agreed methodology in order to reach the point whereby a change to the traffic or timing of the restrictions could be achieved. The Court of Common Council, in July 2023, took the view that it would be prudent to pause further work on the traffic modelling exercise (a key constituent part of the overall review), to allow for a focus on identifying and evidencing the need for change and how this can be best addressed.

In order to consider the challenging and complex issues that must be addressed in order to provide the robust and well-evidenced case for change sought by the Court,

additional funding was required to cover the expanded scope, as the current fee allocation was utilised in the first round of data collection and commissions. Most of this work would need to be undertaken by third parties and cannot proceed until the funding has been approved and purchase orders raised. The additional sums required amounted to some £650,000, which can be met from the On Street Parking Reserve.

### **REASON FOR URGENCY**

A commitment having been made to the Court to present a progress report in December 2023, the approval of funding release was required in advance of the September committee cycle in order to allow for the requisite activity to be undertaken within the timeframe committed to. In addition, if the authorisation to enter the S278 agreement were not given until the 26 September Streets & Walkways Sub Committee meeting, this would delay the installation of the taxi rank on Poultry and the efficiency of coinciding with the All Change at Bank construction work in this area would be lost.

Approval was therefore sought and granted by the Town Clerk, in consultation with the Chairs and Deputy Chairs of the Policy and Resources Committee and Resource Allocation Sub-Committee to: -

1. Agree to allocate £650,000 from the On Street Parking Reserve (including £150,000 costed Risk Provision for Risk R21) as recommended by Corporate Priorities Board in July 2023, to fund the continuation of the traffic and timing mix review at Bank.
2. Subject to the agreement of Recommendation (1), the Town Clerk, in consultation with the Chair and Deputy Chair of the Streets and Walkways Sub Committee, is asked to:
  - a) Agree the £650,000 additional budget is approved for the use of the Traffic and Timing Review at Bank.
  - b) Note the total revised project budget of 6,676,432 (excluding risk) increased by £500,000.
  - c) Approve an additional Costed Risk Provision of £150,000 (to be drawn down via delegation to Chief Officer) specifically for the use of the Traffic and Timing Review.
  - d) Note that this would take the remaining available Costed Risk Provision for the entire project to £816,498.
  - e) Approve the amended risk register in appendix 2 of the accompanying background report (inclusion of the £150k in R21).
  - f) Agree that the City can enter into a S278 Agreement relating to the delivery of a taxi rank on Poultry outside the Ned hotel (paragraph 7 in the accompanying background report),

## **Urgent Decision: Revised Complaints Procedure**

### **BACKGROUND:**

On 21st July 2023, the newly constituted Member Development and Standards Sub-Committee met for the first time. Amongst the items of business considered was a joint report of the Comptroller and City Solicitor and the Town Clerk & Chief Executive updating members on various standards matters. Amongst these, was a proposal to revise the existing Complaints Procedure such that any future Member on Member complaints should be referred, in the first instance, to either the existing or a past Chief Commoner or to one of the Aldermanic Chairs as appropriate.

The role of the Chief Commoner has traditionally included a concern for the welfare and conduct of Common Councillors, and the Chair of the General Purposes Committee of Aldermen and the Chair of the Nominations Committee of Aldermen perform a similar function in relation to Aldermen. An amendment to the current Complaints Procedure was therefore proposed by the Chief Commoner, to incorporate a Pre-Complaint Protocol. This would emphasise the existing alternative avenue for Members to resolve grievances against other Members, through the Chief Commoner and the Aldermanic Chairs, and the need to exhaust that process before a formal complaint is made.

As per historic practice, a Member with a grievance against an Alderman would be directed to seek assistance from one of the Aldermanic Chairs in the first instance, and a Member with a grievance against a Common Councillor would be directed to the Chief Commoner. The proposed text envisages that the Chief Commoner may, where appropriate, nominate a former Chief Commoner who is still on the Court to deal with the matter. This is designed to address any potential conflicts of interest, or personality clashes, with a view to achieving the best possible outcome in any given case.

This proposal had been prompted by a feeling that there have been too many Member v Member complaints, that tend to escalate and become divisive on the Court of Common Council, and lead to tit for tat complaints. The proposed change would further highlight that the Court is very keen to focus on conflict resolution where possible. It is important to note that any Member will still be able to make a complaint to the Panel of Independent Persons, once they have tried this other route.

Members will also still be able to go straight to the Panel with a complaint, if there are exceptional circumstances. This will have no impact on complaints from any other sources i.e. Co-opted Members, Officers, members of the public.

The Panel of Independent Persons and other stakeholders, including the Aldermanic Chairs and former Chief Commoners still on the Court, had been consulted on the proposals and were content.

### **REASON FOR URGENCY:**

A decision of Policy and Resources Committee through urgency procedure had been requested as the Sub-Committee and its Chair were keen to seek approval for these changes at the September Court of Common Council meeting such that, if supported, they may be implemented without further delay and allow the Court to focus on the best possible form of conflict resolution between Members going

forward, with there being no September meeting of the Policy and Resources Committee scheduled prior to the 7<sup>th</sup> September Court of Common Council meeting.

Approval was therefore sought and granted by the Town Clerk, in consultation with the Chairman and Deputy Chairman of the Policy and Resources Committee to: -

- Approve a revised Complaints Procedure for onward consideration by the Court of Common Council;

In accordance with Standing Orders 41 (a) and 41 (b), Members are asked to note the recent decisions taken by the Town Clerk in consultation with the Chairman and Deputy Chairman.

Copies of background papers concerning these decisions are available from Chris Rumbles on request.

**Contact:**

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