

Committee(s): Policy and Resources – For Decision	Date: 21 September 2023
Subject: Appointments to Ward Committees: “Pairing”	Public
Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?	1 - 12
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain’s Department?	N/A
Report of: Town Clerk	For Decision
Report author: Greg Moore	

Summary

Committees of the Court of Common Council fall broadly into two general categories in respect of their method of appointment: Ward and non-Ward committees. Non-Ward Committees are generally comprised of a smaller number of Members, who are elected or appointed by the Court. Ward Committees, which tend to be much larger in size, are structured such that each Ward is entitled to appoint at least one of their Members to serve. The intention of the latter is to ensure representation from each Ward, such that the whole City is represented.

Conscious of the demands on Members’ time, in 2004 the Court introduced the practice of "pairing" on Ward Committees, which allows geographically adjacent Wards to represent each others' interests, thereby meaning that each Ward was not mandated to appoint an individual from within their own Ward to serve. In addition to pairing, in 2011 the Court introduced the option for Wards to decline to fill vacancies either directly or through pairing, and to open them up to election from amongst the wider Court instead. These processes are governed by Standing Order No. 23.

In April 2023, a large number of Wards attempted to make late changes to their Ward Committee appointments in respect of pairing or opening up vacancies, which may have caused some confusion, particularly amongst those less familiar with the practice. This paper responds to a request for an exploration of options arising from this, and outlines the history and intention of Ward Pairing and Ward Committee appointments, presenting options to clarify the existing arrangements and improve transparency around the process moving forwards.

Recommendation(s)

Members are asked to consider and endorse one of the three options set out in paragraphs 12 – 25, which in summary are:

1. Continue with the current process but add a strict deadline for pairing decisions to be made;
2. Remove the provision/requirement for unfilled Ward vacancies to be advertised to the wider Court;
3. A combination of both options 1 and 2, as set out within revised Standing Order 23 (Appendix 1). This is the recommended option.

Main Report

Background

1. Ward Committees are a longstanding feature of the governance arrangements of the City of London Corporation. They allow for each Ward to make at least one appointment to that Committee, thereby providing a guaranteed opportunity for every Ward in the City to be represented, should they so wish. Ward Committees generally have remits which cover areas of the Corporation's responsibilities which affect the entire City.
2. Whilst there has been a move away from Ward Committees over recent decades, the Court has been clear in its desire to retain the arrangements generally and for specific areas. Today, the remaining Ward Committees are: Finance, Planning & Transportation, Community & Children's Services, Culture Heritage & Libraries, and Port Health & Environmental Services.
3. Historically, some Wards — usually those with fewer Members — sometimes found it challenging to fill all their allocations on Ward Committees whilst also pursuing areas of interest or expertise on non-Ward Committees. This was exacerbated by the introduction of an upper threshold on the number of committees on which any one Member might serve.
4. A review was undertaken by the Audit Commission in 2002 which highlighted the burdens on Members through these arrangements as a specific issue and, consequently, in 2004, the system of Ward pairing was introduced, to "reduc[e] the demands placed on Members" in a "voluntary and flexible arrangement". The idea behind this was to allow for Wards which were geographically adjacent and shared characteristics to effectively share the responsibility, such that one Member essentially represented both Wards. This was considered to retain the spirit of ensuring Wards were able to be served by someone they felt would well understand and represent their local area.
5. In 2011, it was further decided that, in addition to the option to pair, Wards should have the option to open up the vacancy for appointment to be made by and from amongst the wider Court.
6. There are, therefore, now three options available in respect of Ward Committees:
 - a. A Ward can fill the vacancy directly;
 - b. A Ward may pair with another Ward, and have that Ward's appointed Member represent both Wards' interests;
 - c. A Ward may relinquish the vacancy altogether and cede it to the Court.

Current Position

7. Since the 2011 change, some Wards have continued to elect to use the pairing arrangements, whilst others leave their position unfilled, thus leaving an additional place on the Committee to be appointed to by the Court.
8. The appointment process to Ward Committees is set out by Standing Order No 23 and essentially requires the Ward Deputy to make nominations annually, following consultation with their colleagues. This process usually takes place in

March of each year. The nominations are then collated and presented to the Court as part of the “White Paper” document, in April of each year, when the committees are constituted.

9. Since the introduction of the 2011 change, Ward Deputies are asked to provide their final nominations in good time ahead of publication of the Court’s agenda, in order that any vacancies left unfilled (and where pairing is not exercised) can be advertised and nominations placed on the Summons in keeping with the requirements of Standing Orders.
10. However, just as individuals standing for non-Ward Committees can withdraw their nominations at any time (including at the April Court meeting itself), the Ward Deputy may also seek to make changes to their submissions at any time. Ultimately, the power to determine whether to accept those changes rests with the Court.
11. In previous years there had been very few changes to the initial submissions of Ward Deputies and so this approach presented no major challenges. However, in April 2023, several Wards were making changes well beyond the date outlined for response and then further still, after the Summons had been published. There were as many as 100 emails issued to the Governance and Member Services Team on this specific issue in the days leading up to the publication. This placed a significant, albeit unintentional, administrative burden on agenda preparations and subsequently impacted the ability to communicate the relevant last minutes changes to the wider Court.
12. In addition to all the changes that had taken place ahead of publication, at the Court meeting, the Town Clerk outlined two further amendments to the Summons in relation to the Ward Committee appointments. These amendments were agreed but led to a reduction in the number of Ward Committee vacancies available to the wider Court. This prompted ‘on the spot’ withdrawals of nominations. It is fair to say the matter caused some confusion and gave rise to concern with the general process of Ward Committee appointments.
13. Considering all the above, in the interests of clarity, it is considered beneficial to consider the arrangements for the annual Ward Committee appointments process and whether there is scope for improved procedures to be made for future years.

Options

14. Recognising that the purpose of Ward Committees is to allow every Ward to be represented, whilst remaining cognisant of the demands on Members and the limit on the number of Committees on which Members may serve, it can be argued that pairing is and remains a key mechanism through which a Ward can ensure that it obtains its desired representation. Therefore, each of the options below is predicated on the retention of the ability to pair.

Option 1: Impose a stricter deadline

15. Whilst a deadline exists for the nomination of Ward Committee appointments to be submitted to the Town Clerk, this is not a hard deadline strengthened by a

Standing Order and therefore operates on the best intentions of Members, with late changes accommodated wherever possible.

16. Therefore, one option could be to retain the existing arrangements but with a formal requirement for all Ward Committee appointments, including pairing decisions, to be made and communicated to the Town Clerk by a fixed date. After this deadline, no changes can be made to the listed names in the papers presented to the Court and it would require a formal Motion to be moved and agreed in order to allow for changes.
17. This option would reduce confusion from Members around what vacancies exist on Ward Committees and make clear what ballots were to take place at Court, whilst still retaining the Court's ultimate discretion in this matter. The position would also be consistent with the approach for non-Ward Committee vacancies, whereby vacancies must be advertised by a set date, thereby allowing sufficient time for interested Members to express their interest in any vacancies.
18. A new Standing Order, 23(8), could make this clear, viz:-: "All nominations for Ward Committee appointments made as part of the annual appointments process (see: Standing Order 21), including pairing decisions, shall be made and communicated to the Town Clerk by no later than 12 noon, twelve working days before the meeting of the Court, for inclusion in the Summons. After this deadline, no changes can be made to such names listed in the Summons and any amendment shall require the explicit approval of the Court via a Motion (pursuant to Standing Order No. 12(4))." In the absence of any nominations by this deadline, the vacancies shall be held unfilled until the next meeting of the Court.
19. By fixing the deadline as twelve working days before the meeting, it allows for any vacancies to be advertised two weeks before the meeting, pursuant to Standing Order 25(2).

Option 2: Remove the option to "open up" appointments to the wider Court

20. One option would be to remove the provision whereby, when a Ward does not wish to nominate one of their number to fill a vacancy, nor pair with another Ward, the vacancy is opened up to the Court (i.e., the option introduced in 2011). Instead, the vacancy would to be left unfilled.
21. This would have the benefit of potentially leading to smaller committees, going some modest way towards one of the outcomes of the most recent Governance Review (which recommended a reduction in the number of Members on committees, where possible, down to an optimal size of 10-12).
22. However, it should be observed that this might disadvantage those Members, particularly from larger Wards, where there is a keen interest in the service area and where such vacancies facilitate their participation.
23. It might also be said that the Committee benefits from having enthusiastic and engaged Members and thus there is a risk that the removal of this option could limit the opportunities of those Members, to the potential detriment of the Committee.

24. Additionally, those vacancies can often be a mechanism to ensure that additional expertise, available on the wider Court but not appointed by Wards directly, can be obtained by Committees through the election of suitably experience Members.

Option 3: Increase Ward Choice

25. The third option is a blend of the foregoing options, i.e., to add a provision such that the Ward can decide:
- whether it wishes to appoint a Member
 - whether it wishes to pair
 - to open their vacancy to the wider Court
 - to choose to leave their Ward unrepresented and not offer the vacancy up, thereby reducing the membership of that Ward Committee by one.
26. This option would give the Ward Deputies the ability to choose how they feel their Ward would be best represented at a Ward Committee, and so remain most true to the spirit governing the role of Ward Committees. Standing Order Nos. 23(1-6) would remain unchanged, but Standing Order 23(7) would be amended to read:
- 23(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 Ward will notify the Town Clerk by no later than 12 noon, twelve working days before the meeting of the Court:*
- a. that they wish for the appointment to remain unfilled, thereby reducing the number of Members on the Committee by the number of unfilled appointments;*
 - b. that the Town Clerk should notify the vacancy to all Members and seek nominations prior to the appointment being made by the Court.*
27. The deadline arrangement, set out in Option 1, would also be retained in order to help provide clarity to all Members as to a Ward's intention, well ahead of the Court meeting in question. This would be particularly important given the additional variable that would be introduced through Option 3.
28. In coming to their determination, as with the existing arrangements, Ward Deputies should be encouraged to bear in mind the impact on the Committee in question: any decisions as to nominations, or decisions not to nominate, should take into consideration the balance of skills and expertise of Members willing to serve and the best interests of the Committee. For instance, if a Ward does not wish to appoint to the Finance Committee but there are several Members on the wider Court with relevant expertise, it would be optimal to open up the vacancy to the wider Court.
29. Members should note that none of the proposed changes impact the current approach to fill vacancies arising mid-year.

Proposal

30. While any of the above options would improve on the current Ward Committee appointment arrangements, Option 3 provides the Deputy of each Ward with the most ability to choose how their Ward is best represented and is therefore the recommended option.

Further consideration

31. In discussing the above options, a further consideration, highlighted through the most recent Governance Review, should be acknowledged. Through that process, several Members promulgated initial thinking in respect of “hardwiring” pairing arrangements, in such a way as to retain the spirit and ethos of Ward Committees whilst achieving smaller compositions. For instance, decreasing the size of a committee to say 15 and “merging” small Wards for the purposes of appointment, such that a maximum one individual was selected to represent two small Wards. Similarly, the additional places on Ward Committees awarded to the larger Wards, in recognition of their size, could be decreased commensurately.
32. It should be observed that, should there be a desire to pursue this, it would require further activity in order to identify how this might be achieved practically, if at all, and in a way which was considered acceptable to all Wards and the Court generally. Mechanisms for identifying Wards which might be suited for combining representation; providing mechanisms for dispute resolution between Wards (if an agreement on representation cannot be reached); and so on.

Corporate & Strategic Implications

- Financial implications - None
- Resource implications – Introducing a deadline for Ward Committee nominations would assist with staff resourcing and management of the April Court meeting.
- Legal implications - None
- Risk implications - None
- Equalities implications – Ward Committees can be a vehicle through which diversity of Members of Committees can be improved. As new Members are sometimes less likely to be elected on to non-Ward Committees, Ward Committees provide an opportunity for all Members to gain experience of sitting on a Committee.
- Climate implications - None
- Security implications - None

Conclusion

33. The use of Ward Committees is an established City Corporation convention to ensure balanced representation on key committees from amongst all Wards. This paper advances options to consider in respect of the process of appointment to these Committees and recommends the adoption of a fixed deadline for nominations, as well as the option for Wards to neither fill allocations nor relinquish them to the Court, in order to provide Wards with maximal flexibility in determining how their interests are best represented on certain committees.

Appendices

- Appendix 1- Proposed revisions to Standing Order 23 (as per Option 3).

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.
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.~~
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 Ward will notify the Town Clerk by no later than 12 noon, twelve working days before the meeting of the Court:

- a. that they wish for the appointment to remain unfilled, thereby reducing the number of Members on the Committee by the number of unfilled appointments;
 - b. that the Town Clerk should notify the vacancy to all Members and seek nominations prior to the appointment being made by the Court.
8. All nominations for Ward Committee appointments made as part of the annual appointments process (see: Standing Order 21), including pairing decisions, shall be made and communicated to the Town Clerk by no later than 12 noon, twelve working days before the meeting of the Court, for inclusion in the Summons. After this deadline, no changes can be made to such names listed in the Summons and any amendment shall require the explicit approval of the Court via a Motion (pursuant to Standing Order No. 12(4)).