

ALDERMAN HAILES – AMENDMENT TO RECOMMENDATIONS, ITEM 5A
(INDEPENDENT REVIEW OF PROJECT-RELATED MEMBER GOVERNANCE) –
PAGE 16

That the recommendations on page 16 be amended to read as follows:-¹

“Members are asked to:

- Note the findings of independent review into project-related Member governance set out in Appendix 1.
- Approve the following recommendations:
 1. Service committees are recognised as the sponsoring body for projects and responsible for taking decisions about the delivery of individual projects with the exception of ~~capital~~ projects over £100m which fall under the authority of the Capital Buildings Board.
 2. The existing capital projects over £100m will remain the remit of the Capital Buildings Board supported by any sub-Group it may establish
 3. The Museum of London new museum project is not a Corporation project and as such oversight remains with the New Museum Board and any funding issues managed through the tri-partite meetings
 - ~~4. Future capital projects over £100m will be assessed on an individual basis to agree the appropriate governance~~
 5. Changes to the terms of reference for Operational, Property and Projects Sub-Committee (OPPSC), including a revised name, as set out in the revised sub-Appendix A to establish it as the oversight body for the new portfolio management approach
 6. Reporting line for OPPSC should be to a single grand committee namely, the Finance Committee², and subsequent changes to the to the terms of reference for Policy & Resources Committee (sub-Appendix B) and Finance Committee (sub-Appendix F)
 7. Changes to the CBB terms of reference as set out in the revised sub-Appendix C
 8. The dissolution of the Markets Board and the transfer of its responsibilities to the Port Health and Environmental Services Committee (PHESC) and the subsequent changes to the PHESC terms of reference as set out in sub-Appendix D
 9. Changes to the terms of reference of the Resource Allocation Sub-Committee to grant it responsibility for Operational Property, as set out in sub-Appendix E
 10. The continuation of the Barking Reach Group with an amendment to its terms of reference to include two Members with relevant experience and expertise, to be co-opted annually by the Barking Reach Group from recent time served on the Markets Board, elected by the Court of Common Council.”

¹ Where the amendments set out have implications in respect of the various terms of reference presented as appendices to the report, these have been marked up in the accompanying sub-appendices in yellow highlight. The original amendment proposed via Paul Martin’s initial recommendations remain marked up in red text with underline for additions and strike-through for deletions.

² Should the changes in reporting lines be approved, it will be a matter for the Finance Committee to determine whether it wishes to make any amendments to the composition of the new Project and Procurement Sub-Committee.

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Operational Property and Projects and Procurement Sub-Committee

Composition

- the Chairman and Deputy Chairman of the Finance Committee or their nominees
- the Chairman and a Deputy or Vice Chairman of the Policy and Resources Committee
- Four Members appointed by the Policy and Resources Committee
- Four Members appointed by the Finance Committee
- Up to two Members to be co-opted by the Sub-Committee from the Court of Common Council with relevant experience.

Terms of Reference

To be responsible for:-

Projects

- Overseeing the total portfolio of projects overseen by the Chief Executive's Portfolio Management Board and receiving regular high level dashboard reports on their progress, identifying notable risks and proposed mitigations;
- Making proposals to the Resource Allocation Sub-Committee/the Policy and Resources Committee for projects to be included in the capital/supplementary revenue programme;
- Determining how political oversight of relevant Tier 1 and Tier 2 projects can best be achieved where several committees are stakeholders on the proposed project and when projects in excess of £100 million require Policy & Resources Committee oversight;
- Reviewing the City Corporation's project management processes, development of project management skills and expertise and the systematic embedding of commercial approaches that share investment and risk.

Procurement

- To scrutinise and be responsible for value for money on all City of London Corporation and City of London Police procurement contracts above thresholds stipulated within the City of London Corporation's Procurement Code (total contract value) at key stages, including initial tender strategy to final contract award sign off.
- To consider and recommend all procurement contracts above thresholds stipulated within the City of London Corporation's Procurement Code £4m to the Finance Committee.
- To invite representative(s) from the relevant Spend Committee to attend meetings ensuring decisions are made corporately.
- To provide officers with advice focussed specifically on value for money, and consider lessons learned when major contracts are coming to an end (i.e. before the (re)tender process begins).
- To review and consider approvals of £4m waivers for the Chamberlain's department contracts.
- To work with the Finance Committee to review and to monitor performance against the Chamberlain's Departmental Business Plan and related corporate initiatives in order to promote value for money and ensure compliance with the UK Public Contract Regulations and the Corporation's Procurement Code.

Corporate Assets

- k) To be responsible for the effective and sustainable management of the City of London Corporation's operational property portfolio, to help deliver strategic priorities and service needs, including:
 - i. agreeing the Corporate Asset Management Strategy;
 - ii. responsibility for reviewing and providing strategic oversight of the Corporation's Asset Management practices and activities and advising Service Committees accordingly;
 - iii. responsibility for reviewing and providing strategic oversight of the Corporation's Facilities Management practices and activities and advising Service Committees accordingly;
 - iv. To maintain a comprehensive Property Database and Asset Register of information which can be used in the decision making process;
 - v. In line with Standing Orders 53 (Asset Management Plans) and 56 (Disposal of Surplus Properties) and the duties set out within legislation, including the Localism Act 2011 and the Housing and Planning Act 2016, to monitor the effective and efficient use of all operational property assets;
 - vi. Oversight of the management of operational leases with third parties, occupation by suppliers and those granted accommodation as benefits in kind; and
 - vii. In accordance with Standing Orders 57 and 58, the Sub-Committee can make disposals of properties which are not suitable to be retained as investment property assets.
- l) In accordance with thresholds stipulated within Standing Orders 55, 56 and 57, the Sub-Committee can approve acquisitions and disposal of operational properties which are not suitable to be re-use or to be retained as investment property assets.
- m) The power to commission from Service Committees periodic management information on asset management performance including, where relevant:
 - i. third party agreements, income, rent arrears (including HRA)
 - ii. efficiency of operational assets including vacant space and utilisation in accordance with SO 55.
- n) To be responsible for the upkeep, maintenance and, where appropriate, furnishing for operational properties (including the Guildhall Complex) which do not fall within the remit of another Service Committee;
- o) To monitor major capital projects relating to operational assets to provide assurance about value for money, accordance with service needs and compliance with strategic plans;
- p) To recommend to the joint meeting of the Resource Allocation Sub-Committee and the Efficiency and Performance Sub-Committee the annual programme of repairs and maintenance works (including surveys, conservation management plans, hydrology assessments and heritage landscapes) planned to commence the following financial year, and to monitor progress in these works (when not included within the Project procedure);
- q) To be responsible for strategies, performance and monitoring initiatives in relation to energy;
- r) To monitor and advise on bids for Heritage Lottery funding; and
- s) To provide strategic oversight for security issues across the Corporation's operational property estate; with the objectives of managing security risk; encouraging consistent best practice across the Estate; and, in conjunction with the Corporate Services Committee, fostering a culture of Members and officers taking their responsibilities to keeping themselves and the buildings they occupy secure.

Policy and Resources Committee

Terms of Reference

To be responsible for:-

General

- (a) considering matters of policy and strategic importance to the City of London Corporation including matters referred to it by other Committees and/or Chief Officers;
- (b) the review and co-ordination of the governance of the City of London Corporation including its Committees, Standing Orders and Outside Bodies Scheme, reporting as necessary to the Court of Common Council, together with the City Corporation's overall organisation and administration;
- (c) overseeing, generally, the security of the City and the City of London Corporation's security and emergency planning;
- (d) the support and promotion of the City of London as the world leader in international financial and business services and to oversee, generally, the City of London Corporation's economic development activities, communications strategy and public relations activities;
- (e) the use of the City's Armorial bearings;
- (f) the appointment of the City Surveyor;
- (g) general matters not otherwise expressly provided for within the terms of reference of any other Committee;
- (h) the functions of the Court of Common Council as walkway authority and under Part II of the City of London (Various Powers) Act 1967 (excluding the declaration, alteration and discontinuance of City Walkway) for the purposes of promoting works to the Barbican Podium;
- (i) approving the City Corporation's annual contribution to the London Councils' Grants Scheme and agreeing, alongside other constituent councils, the proposed overall budget;
- (j) making recommendations to the Court of Common Council in respect of:
 - (i) the appointment of the Town Clerk & Chief Executive, Comptroller & City Solicitor and Remembrancer;
 - (ii) the Corporate Plan, Community Strategy, and other corporate strategies, statements or resolutions;
 - (iii) the issuing of levies to all the constituent councils for their contributions to the London Councils' Grants Scheme, for which the Court of Common Council is a levying body; and
 - (iv) the promotion of legislation and, where appropriate, byelaws;

Resource Allocation

- (k) determining resource allocation in accordance with the City of London Corporation's strategic policies;

Corporate Assets

- (l) (i) determining the overall use of the Guildhall Complex; and
 - (ii) approving overall strategy and policy in respect of the City Corporation's assets;

Projects (Capital and Supplementary Revenue)

- (m) ~~scrutiny and oversight of the management of major projects and programmes of work, including~~ considering all proposals for capital and supplementary revenue projects, and determining whether projects should be included in the capital and supplementary revenue programme as well as the phasing of any expenditure;

Hospitality

- (n) arrangements for the provision of hospitality on behalf of the City of London Corporation;

- (o) **Privileges**
Members' privileges, facilities and development;
- (p) **Sustainability**
strategies and initiatives in relation to sustainability;
- (q) **Business Improvement Districts**
responsibility for the functions of the BID Proposer and BID Body (as approved by the Court of Common Council in October 2014);
- (r) **Sub-Committees**
appointing such Sub-Committees as are considered necessary for the better performance of its duties including the following areas:-
* Resource Allocation **(including Operational Property)**
Outside Bodies
Communications and Corporate Affairs
Freedom Applications
Capital Buildings
Competitiveness
†Civic Affairs
~~Operational Property and Projects (jointly with the Finance Committee)~~
Equality, Diversity and Inclusion
- * The constitution of the Resource Allocation Sub Committee is set by the Court of Common Council and comprises the Chairman and Deputy Chairmen of the Grand Committee, past Chairmen of the Grand Committee providing that they are Members of the Committee at that time, the Chairman of the General Purposes Committee of Aldermen, the Chairman and Deputy Chairman of the Finance Committee, the Chairman of the Establishment Committee, the Senior Alderman below the Chair and six Members appointed by the Grand Committee.
- † the Working Parties or Sub Committees responsible for hospitality and Members' privileges shall be able to report directly to the Court of Common Council and the Chief Commoner able to address reports and respond to matters in the Court associated with these activities.
- (s) **Standards and Code of Conduct**
Following the decision of the Court of Common Council on 14 January 2021, the Committee shall have interim responsibility for the following matters, previously under the purview of the Standards Committee, until such time as the Court determines otherwise:-
- (i) promoting and maintaining high standards of conduct by Members and Co-opted Members of the City of London Corporation and to assist Members and Co-opted Members to observe the City of London Corporation's Code of Conduct;
 - (ii) preparing, keeping under review and monitoring the City of London Corporation's Member Code of Conduct and making recommendations to the Court of Common Council in respect of the adoption or revision, as appropriate, of such Code of Conduct;
 - (iii) keeping under review, monitoring and revising as appropriate the City of London Corporation's Guidance to Members on the Code of Conduct;
 - (iv) keeping under review by way of an annual update by the Director of HR, the City of London Corporation's Employee Code of Conduct and, in relation to any revisions, making recommendations to the Corporate Services Committee;
 - (v) keeping under review and monitoring the Protocol on Member/Officer Relations and, in relation to any revisions, making recommendations to the Corporate Services Committee;
 - (vi) advising and training Members and Co-opted Members on matters relating to the City of London Corporation's Code of Conduct.

Sub-Appendix B

- (t) **Freedom Applications**
Responsibility for all matters relating to Freedom Applications;
- (u) **Capital Buildings**
Responsibility for ~~major capital building (defined as all projects for new or substantially refurbished buildings or associated preparatory works and enabling projects~~ with an estimated budget of £100 million or more, or which have been otherwise referred to the Committee, which have been approved in principle by the Court of Common Council and are being directly delivered by the City of London Corporation;
- (v) **Operational Property and Projects (joint with Finance Committee)**
~~The Operational Property and Projects Sub Committee is~~ Responsibility for the effective and sustainable management and strategic plans for the City of London Corporation's operational property portfolio; this includes the monitoring of capital projects, acquisitions and disposals, and the upkeep, maintenance and, where appropriate, furnishing for operational properties (including the Guildhall Complex), ~~In addition, the Sub Committee together with~~ responsibility for strategies, performance, and monitoring initiatives in relation to energy usage, and for monitoring and advising on bids for Heritage Lottery funding.

~~It provides dedicated scrutiny for all City Corporation and City of London Police procurement contracts above £2m, with a view to driving value for money;~~
- (w) **Benefices**
All matters relating to the City's obligations for its various benefices.
- (x) **Equality Diversity and Inclusion**
To have oversight of the City of London Corporation's policies and practices in respect of equality and inclusion, including the implementation of the Equality Act 2010 and other relevant legislation through the establishment of the Equality, Diversity and Inclusion joint Sub Committee with the Policy & Resources Committee.

Capital Buildings Board

Composition

- The Chairman and Deputy or a Vice Chairman of the Policy & Resources Committee
- The Chairman and Deputy Chairman of the Finance Committee or their nominee
- Three Members appointed by the Policy & Resources Committee
- Five Members elected by the Court of Common Council, at least one of whom shall have fewer than five years' service on the Court at the time of their appointment
- The Chairmen and Deputy Chairmen of those service committees which will become responsible for completed capital building projects, or their nominees (ex-officio)*
- The Chairman of the General Purposes Committee of Aldermen, or their nominee.

** Such Chairmen and Deputy Chairmen (or their nominees) to become ex-officio Members of the Committee upon the Court of Common Council giving its approval in principle for the project to proceed, with their membership to cease upon the new building being handed over to their Committee.*

- Together with up to two non-City of London Corporation Members and a further two Court of Common Council Members with appropriate experience, skills or knowledge to be appointed by the Board.

The Chairman to be Chairman of Policy & Resources or their nominee.

Terms of Reference

In respect of major **capital building** projects[†] which have been approved in principle by the Court of Common Council and are being directly delivered by the City of London Corporation, to be responsible for ~~(without recourse to any other Committee):-~~

- (a) overall direction and co-ordination;
- (b) financial control and variances within the overall approved budget for the project;
- (c) review of progress;
- (d) decisions on significant option development and key policy choices; and
- (e) 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. Such properties, upon the approval of the capital building project, shall sit outside of the normal Standing Orders (53-60) governing acquisitions and disposals.[‡]

In respect of Major Capital Building projects and/or programmes which have been approved in principle by the Court of Common Council and where the City of London Corporation is a major funder:-

- (f) Monitoring of progress against agreed milestones; and
- (g) The release of the City of London Corporation's funding.

[†] Defined as **all projects for new or substantially refurbished buildings or associated preparatory works and enabling projects** with an estimated budget of £100 million or more, or which have been otherwise referred to the Committee.

[‡] Such transactions shall therefore not require the additional approvals of the Property Investment Board, Operational Property and Projects Sub-Committee, Finance Committee, and Court of Common Council. However, the Policy & Resources Committee shall reserve the right to retain ultimate decision-making powers in respect of properties where the disposal is considered to have significant strategic or policy implications.

Notes:

Whilst the Board will need to have dealings with external parties relevant to the buildings concerned in projects for which the Board is responsible, ownership and custody of these relationships shall rest with the relevant service committee and the Capital Buildings Board shall act in accordance with this.

Port Health & Environmental Services Committee

Terms of Reference

To be responsible for:-

- a) all the City of London Corporation's environmental health, port health, animal health, consumer protection, licensing (with the exception of those which are in the province of another Committee), public conveniences, street cleansing, refuse collection and disposal, the street trading enforcement functions in the London Local Authorities Act 1990 including any decision as to whether the s.101 arrangements should be discontinued, and cemetery and crematorium functions;
- b) the implementation of those sections of any Acts of Parliament and/or European legislation which direct that the local authority take action in respect of those duties listed at (a) above;
- c) the appointment of the Executive Director of the Environment (acting jointly with the Planning & Transportation Committee, Natural Environment Board, and Licensing Committee);
- d) the appointment of the Director of Open Spaces (acting jointly with the Natural Environment Board);
- e) determining any appeals against a decision not to grant City premises a licence under the provisions of the Marriage Act 1994 and the City of London (Approved Premises for Marriage) Act 1996 to conduct civil marriage ceremonies;
- f) the appointment of the City of London Coroner;
- g) making recommendations to the Court of Common Council in respect of the making and sealing of byelaws for the variance of charges at the Animal Reception Centre.
- h) oversight of the management of all matters relating to Smithfield Market, Billingsgate Market and New Spitalfields Market and the letting of all premises therein;
- i) the appointment of the Director of Markets.

Resource Allocation Sub-Committee

Composition (agreed by the Court of Common Council)

Chairman of the Policy and Resources Committee (Chairman)
Chairman of the Finance Committee (Deputy Chairman)
The Deputy Chairmen of the Policy and Resources Committee
The Deputy Chairman of the Finance Committee
Chairman of the General Purposes Committee of the Court of Aldermen
The Senior Alderman below the Chair
The Chairman of the Corporate Services Committee
Past Chairmen of Policy and Resources Committee providing that they are Members of the Committee at the time.
Six Members of the Policy and Resources Committee

Terms of Reference

- a) ~~following advice from the Operational Property and Projects Sub-Committee~~ to have power to determine the City Corporation's programme for repairs, maintenance and cyclical replacement of plant & equipment in respect of all operational and noninvestment properties, including the prioritisation of the various schemes and projects;
- b) to determine the appropriate investment proportions between property and non-property assets;
- c) to recommend to the Grand Committee the extent of properties held by the City of London Corporation for strategic purposes, including within the City of London itself;
- d) to recommend to the Grand Committee the allocation of operational property resources for service delivery ~~(following Operational Property and Projects Sub-Committee's consideration of effective use);~~
- e) to be the reporting and oversight body for the review of Operational Property;
- f) ~~to be responsible for the effective and sustainable management of the City of London Corporation's operational property portfolio, to help deliver strategic priorities and service needs, including:~~
 - i. ~~agreeing the Corporate Asset Management Strategy;~~
 - ii. ~~responsibility for reviewing and providing strategic oversight of the Corporation's Asset Management practices and activities and advising Service Committees accordingly;~~
 - iii. ~~responsibility for reviewing and providing strategic oversight of the Corporation's Facilities Management practices and activities and advising Service Committees accordingly;~~
 - iv. ~~to maintain a comprehensive Property Database and Asset Register of information which can be used in the decision making process;~~
 - v. ~~in line with Standing Orders 53 (Asset Management Plans) and 56 (Disposal of Surplus Properties) and the duties set out within legislation, including the Localism Act 2011 and the Housing and Planning Act 2016, to monitor the effective and efficient use of all operational property assets;~~
 - vi. ~~oversight of the management of operational leases with third parties, occupation by suppliers and those granted accommodation as benefits-in-kind; and~~

- vii. in accordance with Standing Orders 57 and 58, the Sub Committee can make disposals of properties which are not suitable to be retained as investment property assets.
- g) in accordance with thresholds stipulated within Standing Orders 55, 56 and 57, the Sub-Committee can approve acquisitions and disposal of operational properties which are not suitable to be re-use or to be retained as investment property assets.
- h) the power to commission from Service Committees periodic management information on asset management performance including, where relevant:
 - i. third party agreements, income, rent arrears (including HRA)
 - ii. efficiency of operational assets including vacant space and utilisation in accordance with Standing Order 56.
- i) to be responsible for the upkeep, maintenance and, where appropriate, furnishing for operational properties (including the Guildhall Complex) which do not fall within the remit of another Service Committee;
- j) to monitor major capital projects relating to operational assets to provide assurance about value for money, accordance with service needs and compliance with strategic plans;
- k) to consider, at the annual joint meeting of the Resource Allocation Sub-Committee with Committee Chairs and the Efficiency and Performance Working Party, the annual programme of repairs and maintenance works (including surveys, conservation management plans, hydrology assessments and heritage landscapes) planned to commence the following financial year, and to monitor progress in these works (when not included within the Project procedure);
- l) to be responsible for strategies, performance and monitoring initiatives in relation to energy;
- m) to monitor and advise on bids for Heritage Lottery funding;
- n) to provide strategic oversight for security issues across the Corporation's operational property estate; with the objectives of managing security risk; encouraging consistent best practice across the Estate; and, in conjunction with the Corporate Services Committee, fostering a culture of Members and officers taking their responsibilities to keeping themselves and the buildings they occupy secure;
- o) to recommend to the Grand Committee an appropriate allocation of financial resources in respect of the City Corporation's capital and revenue expenditure;
- p) to meet with Chairmen of Service Committees to advise on the status of the City Corporation's budgets and the recommended allocation of financial resources overall and discuss any emerging issues;
- q) to set the annual quantum for each City's Cash and City Fund grants programme (including for City's Cash funded open spaces grants);
- r) to consider the annual performance reports for all grants programmes from the Finance Committee;
- s) to consider funding bids in respect of the Community Infrastructure Levy Neighbourhood Fund of over £50,000; and
- t) to consider and make recommendations in respect of matters referred to it by the Grand Committee including matters of policy and strategy.

Sub-Appendix F

Finance Committee

Terms of Reference

To be responsible for:-

Finance

- (a) Ensuring effective arrangements are made for the proper administration of the City Corporation's financial affairs;
- (b) making recommendations to the Court of Common Council in respect of:-
 - (i) the audited accounts, the Annual Budget and to recommend the non-domestic rate and Council Tax to be levied and to present the capital programme and make recommendations as to its financing;
 - (ii) the appointment of the Chamberlain;
- (c) considering the annual budget of several committees, to ascertain that they are within the resources allocated, are applied to the policies for which those resources were allocated and represent value for money in the achievement of those policies;
- (d) determining annually with the Resource Allocation Sub-Committee, the appropriate performance return bench marks for the City's Estates;
- (e) obtaining value for money in all of the City of London Corporation's activities, contracts, and in the City of London Police;
- (f) monitoring performance against individual Departmental Business Plans and bringing about improvements in performance;
- (g) the effective and sustainable management of the City of London's operational assets, to help deliver strategic priorities and service needs;
- (h) overseeing the City of London Corporation's approved list of contractors and consultants;
- (i) dealing with requests for allowances, expenses, insurance, business travel, treasure trove and Trophy Tax;
- (j) providing strategic oversight and performance management of all grant giving activity by the Corporation, other than for the Bridge House Estates.
- (k) strategies and initiatives in relation to energy;
- (l) except for those matters reserved to the Court of Common Council or which are the responsibility of another Committee, the Committee will be responsible for all aspects of the City of London Charities Pool (1021138) day-to-day management and administration of the charity. The Committee may exercise any available powers on behalf of the City Corporation as trustee under delegated authority from the Court of Common Council as the body responsible for exercising the powers of the City Corporation as trustee. This includes, but is not limited to, ensuring effective operational arrangements are in place for the proper administration of the charity, and to support expedient and efficient delivery of the charity's objects and activities in accordance with the charity's annual budget, strategy and policies
- (m) the projects procedure, including scrutiny and oversight of the management of projects and programmes of work delivered in accordance with this.

Sub-Committees

- (n) appointing such Sub-Committees as are considered necessary for the better performance of its duties including the following areas:-

Efficiency & Performance Working Party

The Efficiency & Performance Sub Committee (now Working Party) was created in 2011 to scrutinise plans for efficiency and performance across all of the City Corporation's departments and the City of London Police. It supports officers to drive value for money in areas such as third-party contracts, budgeting and facilities/asset management, and promotes effective planning - both on a departmental basis and for the Corporation as a whole.

Operational Property and Projects and Procurement (joint with Policy & Resources Committee)

The Operational Property and Projects Sub Committee is responsible for the effective and sustainable management and strategic plans for the City of London Corporation's operational property portfolio; this includes the monitoring of capital projects, acquisitions and disposals, and the upkeep, maintenance and, where appropriate, furnishing for operational properties (including the Guildhall Complex). In addition, the Sub Committee is responsible for strategies, performance, and monitoring initiatives in relation to energy usage, and for monitoring and advising on bids for Heritage Lottery funding.

This Sub-Committee provides dedicated scrutiny for all City Corporation and City of London Police procurement contracts as prescribed in the Procurement Code above £2m, with a view to driving value for money.

It also provides dedicated scrutiny for all City Corporation and City of London Police Projects as prescribed by the Projects Procedure.