

# London Metropolitan Archives

Information Leaflet Number 13

## The Court of Common Council



## Introduction

Today, the activities of the City of London Corporation are governed by the Court of Common Council and the Court of Aldermen. However, the City's government differs in several ways from other councils. This sheet gives details about these differences and the origins of the Common Council and of the Corporation.

## Origins

From early times the **Folkmoot** was used as a way of informing the citizens of civic actions and obtaining their consent for them, while the **Court of Husting**, whose surviving records are held in LMA transacted some administrative business (such as the enrolment of deeds and wills and settling legal disputes). The **Court of Aldermen** developed from the administrative side of the Court of Husting. The **Court of Common Council** grew from summonses from the Aldermen for commoners to help them to make decisions. The Common Council and the Corporation are therefore unique in local government today as they evolved organically from earlier bodies. Most other councils in the UK were either created or substantially reformed in the nineteenth century.

The City Corporation is probably the oldest local authority in the country. The beginnings of local government can be traced to the time at which towns secured the right to appoint their own officials and so control their own affairs. Although the City's right to govern itself has been subject to royal intervention at different times, it can trace the election of officials by London back to the second quarter of the twelfth century. It was also the first English town to have its own Mayor, who first appears around 1189.

## Development

The first evidence in the Corporation's archives of participation by representatives of the

Commons of the City is suggested by the Oath of the Commune in 1193. This allowed the Mayor to summon "worthy and substantial citizens" to assist in deciding civic matters. There are several examples of citizens summoned from the Wards, often in a ratio determined by the size of the Ward. The earliest documented example of this is in 1285 when forty citizens were summoned. Their numbers varied from between one and four from each Ward.

The Council is first referred to as the Common Council in 1376 and assumed some legislative functions before the end of the fourteenth century. It became particularly involved in the finances of the Corporation. As municipal services developed so did

the need to raise taxes to provide for them. Therefore the Common Council became more involved with the decision-making process as the assent of the citizenry was needed when taxes upon them were proposed. It also met more frequently. Since the eighteenth century it has been the main governing body of the City, acquiring many of the duties previously overseen by the Court of Aldermen and undertaking major municipal projects, such as street improvements and the construction of markets. It absorbed the duties of the City Commissioners of Sewers in 1897, and so became a rating authority. Although they were evolving at the same time, the Common Council is not older than Parliament. Similarly, Parliament did not model its procedures upon those of the Common Council. Indeed, the Corporation's archives record that in 1527 a memorial asked that "the commons of the Common Council might be used like according to the Common House of the High Court of Parliament".

## **The Wards**

In 1322 it was agreed that ordinances for the whole commonalty were to be made by an assembly consisting of two people elected from each ward, while in 1346 the number of representatives from each ward was laid down depending on the size of the ward. In this way, the notion of representation of the citizens through the wards was developed.

Although the Common Council was elected by the members of the City Guilds for a short period, it has been elected by the ward electorate from 1384 to the present day. The electorate consists of residents and certain ratepayers. There are 25 wards in the City. For each ward, one Alderman and a number of Common Councilmen (the number varies depending on the ward) are elected at the wardmote. Membership of the Common Council has varied between 40 in 1285 and 240 in the mid-nineteenth century. Formerly, Members of the Common Council were re-elected every December but in 2004 new arrangements came into force whereby the term of office was extended to 4 years and the date of election was moved to March. Aldermen retire at 70 (the retiring age for Justices of the Peace), and must submit themselves for re-election at least once within every 6 years.

## **The civic constitution**

The Common Council has a number of features and rights which make it unique amongst local authority councils. Under its charters the Corporation is empowered to alter or amend its own constitution by an Act of Common Council when it benefits the Corporation and the City to do so. Recent Acts of Common Council address subjects such as elections to the Common Council and the elections of ward and Corporation officers.

Other towns modelled their government upon the City and saw London as a lead municipality. For instance, when Oxford was granted its charter in 1156 it was allowed "all their other customs and liberties and laws which they have in common with my citizens of London" but was also told "if they doubt or dispute about any judgement which they ought to make, they shall send messengers concerning this to London, and what the Londoners adjudicate on that point, they shall consider firm and valid".

## Records

The formal record of the Common Council's proceedings is called the **Journal**. The Journals date back to the 15<sup>th</sup> century [COL/CC/01/01]. LMA has subject indexes to the Journals from 1416 to 1811 [COL/CC/01/02]. From 1811 the **minutes** of the Common Council have been printed and have annual indexes. Printed minutes from 1811 are also available for consultation at Guildhall Library. There is a bundle of supporting **minute papers** [COL/CC/06/01] for each meeting which consist of the documents laid before the Court on a particular date, such as letters, receipts and officers' reports.

You can also view recent Common Council minutes and reports via the City's website.

Much of the work of the Common Council is delegated to **Committees** which are mainly made up of Members of the Common Council.

## Committees

There are records of around 250 standing and *ad hoc* Committees in LMA. Until 1986 the Corporation published an annual report which summarised the duties of different Committees, as well as telling you what they did in a particular year. If you need further information about Committee records or which Committee performed a particular function, please ask staff.

## Records

Committee records normally consist of minute books and supporting papers arranged in date order, either for each meeting or for each month. **Minute books** do not give verbatim accounts of what was said at a Committee meeting, but record the Committee's decisions, resolutions and orders on particular issues and subjects. Each volume of 20<sup>th</sup> century minutes is usually indexed, but older minute books may not have indexes, so it is worth trying to find out at least an approximate date when the issue in which you are interested was discussed. **Minute papers** consist of the documents laid before the Committee on a particular date, such as letters, receipts and

officers' reports. Normally, there is a group of papers for each meeting, so it is best to check through the minute books for the dates when matters in which you are interested were discussed. You can then look through the papers for that date for the supporting reports, which usually give you more detailed information. Some Committees and Officers make annual reports to the Common Council. These reports give excellent summaries of the work of the Committee and the Departments of the Corporation which report to it.

You can also view recent Committee minutes and reports via the [City's website at www.cityoflondon.gov.uk](http://www.cityoflondon.gov.uk)

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