

Regulation of Guilds, Companies & Livery Companies **by the City of London Corporation**

Extract from the City of London Corporation's Handbook of Ceremonials

The Court of Aldermen

'Under the Promissory Oaths Act 1868 the High Officers of the Corporation make their declaration of office in the Court of Aldermen, which is also the venue where the Sheriffs-elect execute bonds to take office. The Court of Aldermen appoints the Recorder, the Private Secretary to the Lord Mayor and the three Household Officers.

Control over Livery Companies

This Court also exercises control over the Livery Companies of the City. This control originated partly because of the recognition in the 14th century of the right of the companies to share in the government of the City and partly by reason of the civic regulation of the freedom (of the City), apprenticeship, and trade.

The Court of Aldermen has always had cognizance of admission to the Freedom of the City through the companies and oversight of matters relating to apprenticeship. On the other hand, it was decreed as early as the 14th century that strangers to the City should be admitted to the Freedom only before the commonalty in full Husting, now the commonalty in Common Council. The authority of the Court of Aldermen over the companies rested on custom but was strengthened by an Act of Parliament of 1437 which provided that all Letters Patent should be registered before the Justices of the Peace of counties and governors of cities and towns and that no ordinances should be made except, they be approved by the said Justices and Governors.

Approval of Ordinances

A further Act of 1504 requires all Ordinances made by Fellowships of Crafts or Misteries (Liveries & Guilds) to be examined and allowed by the Chancellor and Chief Justices. The customary oversight exercised by the Court of Aldermen was confirmed by a Charter of 1505. The result is that to-day the terms of charters of incorporation are approved by the Court of Aldermen before submission to the Privy Council to ensure that they do not infringe City customs, and no ordinances of City companies have any legal force until sanctioned both by the Aldermen and by the Lord Chancellor and other Justices mentioned in the Act. During the last decade the Court has considered the draft of several charters and Ordinances and has exercised its power to amend the same.

Granting of new Liveries

*The wearing of a livery became of the greatest civic importance when in 1475 attendance at Common Hall was restricted to liverymen. From 1560 onwards a company wishing to adopt a livery had to obtain the consent of the Court of Aldermen. Since 1944 **thirty-three new companies have been granted the livery, ranging from the Master Mariners to the most recent **Arts Scholars. Such grants after the year 1712 have always limited the number of liverymen to be admitted by the company with the result that companies created after that date have need to petition the Court for any increase above the number of the grant. In recent years the Court has entertained many such petitions, indicating a revival of interest in the livery companies.*

***Update of handbook entry*

Livery Fines

When granting a livery, a stipulation has often been added setting the amount of the livery fine. As the value of money has decreased, the companies whose fine has been fixed by the Court of Aldermen have petitioned for permission to increase their livery fine and the Court has complied with the prayer of the petitioners by setting a minimum fine.'

Guide Notes on location and conduct of Company/Guild Court Meetings

There is an understanding that guilds, companies and livery companies must conduct their business including court meetings, installations, admissions and clothings within the boundaries of the City of London. Rather than a regulation directly imposed by the Court of Aldermen, this 'requirement' is largely governed by custom, and is normally enforced by the charters, ordinances or by-laws of the said companies. These ordinances and bylaws, as stated in the ceremonial handbook extract above, are in any event approved in most cases by the Court of Aldermen in their charters of incorporation at the outset prior to submission to the Privy Council (see approval of ordinances above).

During the pandemic crisis of 2020-2021 the Court of Aldermen agreed to issue a general guidance allowing a waiver to allow virtual meetings to take place; this absolving the need for each company/guild to seek to amend their ordinances accordingly.

Court of Aldermen Waiver Issued May 2021

The decision taken in accordance with Standing Order 42 is:

That the Court of Aldermen resolves that the following guidance be issued to the clerks of Guilds and Livery companies who enquire about the conduct of their business during the current extraordinary circumstances:

- a) That, insofar as the Ordinances or By-Laws of any Company with Livery, Company without Livery or Guild contain restrictive or prescriptive provisions as to the location and timing of any meeting, election, installation or admission of any members or officers, the Court of Aldermen agrees to allow any reasonable variation to such provisions, to be determined by the Guild or Livery company concerned and to be valid until 19 October 2021.
- b) That, these arrangements will allow for Livery meetings to take place virtually and for business to be conducted effectively until 19 October 2021 at which time the arrangements will be reviewed in advance of the beginning of the 2021/2022 Mayoral year.
- c) That, in particular, procedures adopted on the occasion of the binding of apprentices may be conducted virtually, subject to the requirement for the indentures to be entered within six months of the decision being taken in the Books of the Chamberlain of London.

This paper seeks to clarify the rules and regulations concerning the conduct of companies and guilds as imposed by the Court of Aldermen of the City of London.

This Court of Aldermen Guidance was renewed on 15 February 2022 by the following announcement:

To all Clerks of Livery Companies & Guilds

As you will be aware, since 2020 and as a result of the Covid-19 pandemic, the Court of Aldermen has granted a waiver, extended several times, to the guidance in place to the Livery in relation to the conduct of business on a virtual basis. At its meeting on 8 February 2022, the Court of Aldermen once more agreed to extend the current waiver – which is in place until 31 March 2022 – to 31 October 2022.

The General Purposes Committee of Aldermen has indicated that the longer-term position around hybrid/virtual ways of conducting business by Livery Companies and Guilds shall be reviewed, with consideration being given to making some aspects of the waiver permanent. Please be assured that any further decisions taken by the Aldermen will be communicated promptly to the Livery.

Rhiannon Leary, Executive Officer to the Court of Aldermen.

Court of Aldermen Permanent Conduct of Meetings#

Information issued to all Clerks of Livery Companies & Guilds 11 May 2022

As you will be aware, since 2020 and as a result of the Covid-19 pandemic, the Court of Aldermen has granted a waiver – since extended several times – to the guidance in place to the Livery in relation to the conduct of business on a virtual basis. In February this year, it was agreed that the current waiver should remain in place until 31 October 2022.

The Court of Aldermen met again recently, on 10 May 2022, and reviewed the longer-term position around hybrid/virtual ways of conducting business by Livery Companies and Guilds, with particular consideration being given to a proposal that some aspects of the waiver be made permanent. At that meeting, the following recommendations were duly agreed by the Court:

Recommendations

- i) That, insofar as the Ordinances or By-Laws of any Company with Livery, Company without Livery or Guild contain restrictive or prescriptive provisions as to the location and timing of:
 - a. Committee meetings.
 - b. Social and charitable events.
 - c. The binding of apprentices (*subject to the requirement for the indentures to be entered within six months of the decision being taken in the Books of the Chamberlain of London*)
the Court of Aldermen agrees to allow such provisions to be determined by the Guild or Livery company concerned.
- ii) That it be agreed that ceremonial business, election, installation or admission of any members or officers conducted by Guild and Livery Companies take place only on a physical basis and within the City of London boundaries.

Rhiannon Leary, Executive Officer to the Court of Aldermen.

Issued by the Livery and Magistry Sub-Committee of the General Purposes Committee of the City of London Corporation.

Comment

Following interventions by some companies who wish to continue to pursue virtual freedom admissions of, particularly overseas and other distant candidates, the General Purposes Committee was asked to reconsider this matter, which they did on 5 July 2022.

Guidance for Liveries and Guilds Conduct of Virtual Business Update 5 Jul 2022#

The Chairman of the General Purposes Committee reminded the Court that, at its meeting back in May, the General Purposes Committee had considered a further report setting out the current practice in respect of the decision-making processes of Livery Companies and Guilds, specifically in relation to the conduct of virtual meetings. In summary, the General

Purposes Committee were supportive of certain aspects of Guild or Livery business taking place physically, in hybrid form or virtually on a permanent basis, as the Guild or Livery Company sees fit and consequently recommended this to the Court. However, there was one additional aspect recommended by the General Purposes Committee at that same meeting that also now required the formal consideration of this Court. It was therefore recommended that the Court also support that, specifically with regard to Livery Company Freedom Ceremonies, some flexibility be introduced as to how these might be conducted, such that a minority of them may take place virtually if occasion requires.

Resolved Unanimously: - That the Court of Aldermen support that, specifically with regard to Livery Company Freedom Ceremonies, some flexibility be introduced as to how these might be conducted, such that a minority of them may take place virtually if occasion requires.

This document offered as guidance by The Livery Committee
12 July 2022