

## THE COMMISSION OF LIEUTENANCY - 1617 to 1977

In March 1950 the late Sir Gilbert Davis read a paper to the Guildhall Historical Association entitled "Notes upon the history of the City Lieutenancy". This followed hard upon an address by Sir John Newson-Smith on the closely related subject of "The City and the Militia", and it may be asked, therefore, why I should wish to revive this particular topic now. Nearly thirty years have gone by, however, since those papers were delivered, years which have brought important changes in the composition of the Commission of Lieutenancy and it seemed to me, since I have myself been party to some of the more recent deliberations and negotiations which brought about those changes, that it might be of interest to give some account of them and of the history of the Commission.

The citizen soldiers of London have a very long history. The trained bands of the City were among those addressed by Queen Elizabeth I at Tilbury before the Armada. They played an important part in the Civil War when the City declared for Parliament and after the royalist victory at Edgehill were all that stood between the king and his recapture of London. They were called out for the defence of the City in December 1745 when the forces of the Young Pretender reached as far south as Derby on their march to the capital. For much of this time they were organised as six regiments, the Red, Green, Yellow, White, Blue and Orange. Later as the East and West London Regiments of Militia they prepared to meet a French invasion under Napoleon.

But it is not my intention to sketch the history of the City's militia or to repeat the substance of the two previous papers given to the Association. My interest today is the much narrower one of the Commission itself.

The earliest commission of which there is any record was issued by James I in 1617. This was directed to a comparatively small group of persons, namely the then Lord Mayor, Sir John Leman, eight senior aldermen and the Recorder whose name, it may amuse you to hear, was Mr. Anthony Benn. This commission, apparently the only one to be issued before the Restoration, was short lived. Instructions for the levying of men for defence of the City or the realm were normally directed to the Lord Mayor and the control of the trained bands was, in the first half of the 17th century at least, in the hands of a committee of the Common Council known as the Committee for Martial Causes.

In 1662 an Act of Parliament "for ordering the Forces in the several

Counties of the Kingdom" laid the foundation of the Lieutenancy as it exists today. This statute enacted "that the King's most excellent Majesty should as occasion might require issue forth several Commissions of Lieutenancy" and in the 27th section empowered "His Majesty's Lieutenants that are or shall be commissioned for the Militia of the City of London" to levy the trained bands and auxiliaries of the City and to raise a trophy tax for defraying the necessary charges and incidental expenses of the Commission. The City Lieutenancy, as you well know, is unique. In the counties the Sovereign's Commission is issued to a single individual, the Lord Lieutenant, who appoints his Deputy Lieutenants. The Commission for the City names many individuals all of whom are Her Majesty's Lieutenants.

The aldermen were associated with the Commission from the earliest times. A list of the Lieutenancy to be found in the Lieutenancy's minute book for 1702 includes all the aldermen among the 142 persons named and gives a quorum of 16 comprising the Lord Mayor and 15 aldermen. Incidentally, the aldermen at this period were not only Lieutenants of the City but frequently commanding officers of the militia as well. Of the colonels of the six regiments of trained bands in 1679 five were aldermen past the chair and one a junior alderman. Of these six men, Sir John Robinson, Sir Thomas Bludworth, Sir Robert Vyner and Sir Thomas Davies were all colonels of their respective regiments for more than 20 years, while Sir William Pritchard commanded successively the Blue and the White Regiments for a total of only little short of that period.

Commissions were issued at irregular intervals up to 1837 and the number of persons named therein increased as time went on. There were 39 lieutenants in 1670, 117 in 1689, 142 in 1702. There was naturally a very strong civic element in the Commission and in addition to the Lord Mayor and Aldermen, some Deputies and Common Councilmen were included on a personal and individual basis. On 6 November 1798, however, the Lord Mayor informed the Common Council that in order to strengthen the representation of the citizens in the Court of Lieutenancy he had made successful application for the inclusion in the Commission of all the Deputies ex-officio.

Between 1837 and 1867 a new Commission was issued about every third year. Since 1867 the Commissions have been issued annually with the exception of the period of the last war when for seven years no new commission was applied for and the Lieutenancy continued to function under the Commission of 1938. It was shortly after the institution of the

annual commission that an Order in Council was made under the Army Regulation Act 1871 which deprived the City Lieutenancy, along with the Lieutenants of the Counties, of the power of appointing and issuing and signing commissions to officers of the auxiliary forces. Henceforward all such commissions were to be issued, as those in the Regular Army, by the Sovereign.

By 1900 the number of Lieutenants of the City of London had risen to the enormous number of 360. They fell into two groups (1) the ex-officio members who by now comprised the Lord Mayor, the Aldermen, the Deputies, the Recorder, the Chamberlain, the Town Clerk, the Common Serjeant and the Directors of the Bank of England and (2) members nominated by the Lord Mayor. It had long been the custom for the Lord Mayor to fill (by nomination to the Sovereign through the Secretary of State for War) every vacancy which occurred among the non-ex-officio members of the Commission.

The growth in the personnel of the Lieutenancy in the 19th century had not been confined to the City. In the counties the number of Deputy Lieutenants, appointed by the Lords Lieutenant, had proliferated, and soon after his accession Edward VII expressed the opinion that their numbers should be assessed on a population basis and gradually reduced. It was the King's wish also that the number of Lieutenants for the City should be reduced and in deference to this wish it became the practice from 1901-1951 for the Lord Mayor to fill only one in three vacancies occurring among the non-ex-officio members during his year of office. The result was a steady reduction of the size of this category of member who numbered 90 in 1935, 62 in 1946 and 41 in 1951 and the intent was to aim for reduction to a final figure of 20. This was the minimum laid down by the Militia Act of 1882 (section 30[2]), although a population criterion as applied to the Deputy Lieutenants of counties would have meant a figure of only about 5. In 1952 the way of achieving this reduction in non-ex-officio members was changed slightly since it was thought to be uncertain in its operation between one Lord Mayor and another as the number of vacancies varied so much between mayoralty and mayoralty and it was indeed possible for there to be none. With the assent of the War Office therefore every Lord Mayor since 1952 has nominated one person to the Commission irrespective of whether any or how many vacancies have occurred during his year.

There was no corresponding steady reduction in the number of ex-officio members in the early part of this century but in 1938 a change of some

significance was approved. Hitherto an ex-officio member had continued to be named in the Commission even after he had left the office which had originally led to his inclusion. At the meeting on 19 December 1938 the Court of Lieutenancy approved a recommendation of the Standing Committee that all ex-officio members coming on to the Commission after 1st January 1939 should remain thereon only so long as they continued to fill the qualifying office. The immediate effect was slight since this ruling did not apply to existing members. In 1946 when the first new Commission after the war was about to be applied for it was decided that Directors of the Bank of England should not be included ex-officio in future Commissions although those named in the existing Commission should continue to be included. There were 28 Directors of the Bank and although they had been included for many years, certainly as early as the first annual commission of 1867, research had failed to establish precisely when or on what grounds this had come about. Subsequently, as a result of representations from the Bank, which while fully appreciating the reasons for ceasing to include the Directors nevertheless still wished to maintain the link which had existed for so long between the Bank and the Lieutenancy, it was agreed that the Governor and Deputy Governor should be included in all Commissions ex-officio.

In 1954 the Chairman of the City of London Territorial and Auxiliary Forces Association was added to the ex-officio members. The guidance of the Chairman was often necessary and desirable on matters affecting the expenditure of the Trophy Tax upon Finsbury Barracks and his inclusion in the Commission made it possible for him to be a member of the Standing Committee.

The effect of these various changes would, when their implementation was complete, bring the ex-officio members of the Commission down to a total of 62 - 26 Aldermen, 29 Deputies, 4 Corporation Officers, the Governor and Deputy Governor of the Bank of England and the Chairman of the City Territorial & Auxiliary Forces Association. And you will recall that in the other category of members, the Lord Mayor's nominations, the target was a figure of 20, i.e. a total commission of 82.

By 1958 the actual figures reached were 82 ex-officio and 35 nominated members, a total of 117. It was at this point that the question was raised, initially by Alderman Sir Seymour Howard, Bt., of the lack of balance between the two groups of membership. For a long time it had been required that the Lord Mayor's nominees should be suitably qualified by

reason of having either held a commission in one of H.M. Forces for not less than 10 years or of having rendered eminent services in connection with the Territorial & Auxiliary Forces Association. Since the same qualifications could not be demanded of the ex-officio members, it tended to be the much smaller group of nominated members who were the most knowledgeable and consequently the most active within the Lieutenancy.

As the target for nominated members was to be 20, Sir Seymour Howard considered that 15 might be appropriate for ex-officio members, this figure to be attained by way of a gradual and voluntary reduction although no precise details were formulated at this stage. It is perhaps worth re-emphasising here, in view of the rather drastic character of his proposal, that because of the unique constitution of the City Lieutenancy, it is unique in having ex-officio members at all.

A lengthy memorandum prepared by the Clerk, Mr. Roland Champness, relative to these proposals was considered by the Standing Committee on 5 December 1958 and a sub-committee consisting of Alderman Sir Frank Newson-Smith, Sir Irving Gane, Colonel Alexander Woods and Major Sir David Burnett was set up. This committee endorsed the view expressed in the memorandum, and shared by Sir Seymour, that any change must be brought about by agreement and without publicity. To draw attention to the constitution of the City Lieutenancy might be to invite unfriendly and uninformed criticism. The Sub-Committee proposed therefore that (1) the reaction of the Lord Mayor, Sir Harold Gillett, be obtained, (2) if he should be sympathetic, then the views of the Court of Aldermen be sought and (3) after that, the Deputies be consulted. In the event the proposal fell at the first hurdle. The Lord Mayor after taking advice from his officers considered that there was a danger that certain undesirable repercussions might arise if any alteration in the constitution of the Commission were attempted and it was decided to take no further action. The matter was taken up again with the Lord Mayor of the day in 1961 (Sir Frederick Hoare) with the same result.

In February 1967, the Clerk, Mr. Peter Martin, to Her Majesty's Commission prepared a memorandum for the Standing Committee on "The Future of H.M. Commission" in the light of changes in the structure of the Territorial Army, henceforth to be known as the Volunteer Reserve, brought about by the Reserve Forces Act 1966. On 3 March a membership sub-committee consisting of myself, Colonel Wixley and the Clerk was appointed to inquire by what means the number of the Commissioners

appointed to inquire by what means the number of the Commissioners might be reduced. At this date the Commission numbered 103, i.e. 28 Lord Mayor's nominations and 75 ex-officio members including three Lord Mayors holding office before 1939 and 10 Directors and former Directors of the Bank of England appointed before 1946. The lack of balance between the two groups was felt as keenly as it had been in 1958 and in consequence the sub-committee made certain proposals which, subject to the prior approval of the Lord Mayor and the Minister of Defence being obtained, it suggested should be put before the Court.

These proposals, after discussion and amendment within the sub-committee, were that the ex-officio members should consist of the Lord Mayor, the senior Aldermen, the Recorder, the Chairman of the City of London Territorial & Auxiliary Forces Association, two junior Aldermen to be appointed by an outgoing Lord Mayor for the year next following and the three senior Deputies under the age of 70. This would have given a total of ex-officio members of about 18 but varying slightly from time to time according to the number of senior Aldermen. It was proposed that the non-ex-officio members be the then serving Lord Mayor's nominees and one new member per annum appointed on the recommendation of the Lord Mayor. The sub-committee further proposed the appointment of an officer of high military, naval or air force rank as Assistant Lieutenant, holding office until the age of (say) 70 and appointed by the Lord Mayor in office. The Assistant Lieutenant and the Standing Committee would advise the Lord Mayor as to nominations for inclusion in the Commission. I was also anxious to see whether some specific duties in addition to our responsibilities for Finsbury Barracks could not be attached to the Lieutenancy. The sub-committee waited upon the Lord Mayor, Sir Robert Bellinger, and obtained his concurrence in these recommendations.

The next step, after the sub-committee's memorandum had been laid before the Standing Committee, was an approach to the Ministry of Defence, and in August and September of 1967 the sub-committee had a number of meetings with senior officials of the Prime Minister's Office, the Ministry of Defence and the Treasury Solicitor's Department. We were advised that the proposal to appoint an Assistant Lieutenant on the lines we had suggested could not be put into effect without legislation and that there were difficulties about attaching specific additional duties to the Lieutenancy. Both these proposals, therefore, were abandoned. On the other hand we were informed that both the Prime Minister and the Minister of Defence would welcome a reduction in the numbers of members of the Commission

without publicity or open disagreement. I undertook to discuss the matter with the Lord Mayor before our report should be laid before the Standing Committee.

During Sir Robert Bellinger's Mayoralty he arranged for me to have a personal interview with the late Prime Minister, Sir Harold Wilson, at Downing Street when I was agreeably surprised to learn from him how well he was informed regarding the history and activities of the Lieutenancy and its possible future, and secondly his views regarding duties for the Lieutenancy. He told me that provided the numbers were reduced he felt that certain duties could be arranged through the Lord Chamberlain, the Lord Mayor and/or the Remembrancer's office and the Commission could seek guidance on this matter as soon as the numbers were more reasonable. He did not give me an indication as to what he thought was a reasonable number and he also had very definite views as to the type of persons Lord Mayors should appoint etc.

The sub-committee's final recommendation, approved by the Standing Committee, was that the new Commission should include only the names of the Lord Mayor for the time being, Aldermen past the chair and the Lord Mayor's nominees and this was the proposal put by the Lord Mayor, Sir Robert Bellinger, to the Court of Lieutenancy at its meeting on 4 October 1967. The Court felt unable to accept this immediate reduction and resolved instead that reduction should be achieved by natural wastage of the existing ex-officio members either by death or by ceasing to hold office in respect of which they were ex-officio members. In accordance with this resolution the last Alderman to be included in the Commission following Election as Alderman was Sir Lindsay Ring and the last Deputy, Mr. Wylie Harris.

A strict interpretation of the resolution of 1967, as minuted, would have led, ultimately, to the exclusion of all ex-officio members but it has clearly to be interpreted in the light of the original motion put to the Court. In consequence there has never been any doubt but that all the aldermen past the chair are included in the Commission until they retire from the office of alderman.

Since Sir Lindsay Ring was the last alderman to be included in the Commission on election, it was realised recently that the position could arise when the Lord Mayor might not have been included in the Commission prior to his year of office. The late Lord Mayor, Commander Sir Robin

Gillett, was therefore put forward by Sir Hugh Wontner during his mayoralty for inclusion in the Commission of 1975. The present Lord Mayor, Air Commodore Sir Peter Vanneck was put forward by Sir Robin Gillett. It has now been accepted that the alderman next in succession to the mayoralty shall be included in the Commission without pre-empting the Lord Mayor's right to one nomination.

The Commission for 1977 still includes the names of six Deputies appointed before 1967; Mr. Cuthbert Skilbeck, Sir John Newson-Smith, Mr. Herbert Pike, Mr. David Clackson, Mr. Cyril Lewis and Mr. Wylie Harris. As you know, Mr. Clackson and Mr. Lewis have recently resigned from the Court of Common Council and in consequence will no longer be eligible for inclusion ex-officio in future Commissions. About other ex-officio members there has been some flexibility. The present Recorder and the Governor and Deputy Governor of the Bank of England, all of whom assumed office since 1967, are in the Commission. The Common Serjeant who was in office prior to 1967 is still included but neither the Chamberlain nor the Town Clerk, whose offices have changed hands since that date, is to be found. The number of Lieutenants for the City in the Commission for 1977 is 44.

One other change stemmed from 1967. Since that date Deputy Lieutenants in the Counties have had to satisfy one or two criteria which have also been applied to the Lord Mayor's nominees to the City Lieutenancy, i.e. either qualification on military grounds, which has to have the approval of the Ministry of Defence, or on civil grounds, which normally include service to the local community and which has to have the approval of the Home Office. In interpreting this, the Court of Lieutenancy has been desirous of making membership of the Commission a City honour for men who have rendered distinguished services to the City.

You might like to know, or be reminded of, some of the most recent new members of the Commission. I name six in all. I give them in no special order for it would not be proper for you to know or to be able to work out the Lord Mayor's nominations, for they are confidential.

Colonel G.B. Spratt, T.D., A.D.C.

For service as Chairman of the City Territorial Auxiliary Forces Association.

For service commanding the Honourable Artillery Company.

Sir Cyril Kleinwort

For service as Chairman of the Invisibles Committee and to banking and the City of London.

Sir Martin Wilkinson

For service as Chairman of the London Stock Exchange and the re-building of the London Stock Exchange.

Colonel Paul Newall, T.D.

For service commanding the Royal Fusiliers and to the City Territorial Auxiliary Forces Association.

Sir Eric Drake

For service to the City and the Government and as Chairman of British Petroleum.

Sir Thomas Kyrme

For service to the Magistrates' Association and the Territorial Services.

I am sure you will all agree that those mentioned have rendered great service to the City and it is right and proper that they should be honoured in this way. I do happen to know that the Minister of Defence and the Home Office and the Prime Minister - especially the late Prime Minister - have had no difficulty in approving the Lord Mayor's recommendations.

On 8 June it was my pleasant duty and honour as Chairman of the Standing Committee - on behalf of the Lord Mayor and the Commission of Lieutenancy for the City of London - to lead a deputation of eleven Members of the Commission to read a Loyal Address to Her Majesty the Queen at Buckingham Palace - to which she was graciously pleased to reply. It was a most memorable and happy occasion. Like the Corporation, the Commission has had this privilege since Loyal Addresses were first instigated in 1617. I cannot confirm that date.

It was not to be expected that all of the changes which I have outlined

would be the subject of whole-hearted and enthusiastic approval. No-one enjoys breaking old and valued links. But I do not feel that the association of the City and the Lieutenancy has been diminished by these changes. Rather I believe that the reform of the composition of the Commission has made it an instrument better fitted to serve its purpose and thus gives strength to the City whose institutions can only survive and flourish if they are prepared to adapt to the needs and the challenge of modern times.

I would like to convey my grateful thanks and appreciation to Historian Miss Betty Masters, B.A., F.S.A., Deputy Keeper of the Records, for her wonderful help and assistance with this paper. We both have to thank Mr. Peter Martin, the Clerk to Her Majesty's Commission of Lieutenancy for the City of London, for his guidance and advice.

T.K.C.  
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