

## COUNCIL

10 September 2018

### SCHEME FOR HONORARY ALDERMEN AND FREEMEN

#### Report of the Director for Resources

Strategic Aim:	All	
Exempt Information	No	
Cabinet Member(s) Responsible:	N/A	
Contact Officer(s):	Saverio Della Rocca, Director for Resources	01572 758159 sdrocca@rutland.gov.uk
	Phil Horsfield, Head of Legal and Corporate Governance	01572 758154 phorsfield@rutland.gov.uk
Ward Councillors	Not Applicable	

#### DECISION RECOMMENDATIONS

That Council:

1. Adopts the Policy regarding the conferring of the title of Honorary Alderman/Alderwoman and Honorary Freeman/Freewoman attached at Appendix A.

## **1 PURPOSE OF THE REPORT**

- 1.1 The report seeks Council approval of a Protocol for the award of the titles of Honorary Alderman/Alderwoman or Honorary Freeman/Freewoman.

## **2 INTRODUCTION AND BACKGROUND**

- 2.1 Section 249 of the Local Government Act 1972 empowers the Council to confer certain titles the titles of Alderman (or Alderwoman) or Freeman (or Freewoman).
- 2.2 The title of Alderman can be conferred on persons who have, in the opinion of the Council “rendered eminent services to the council as past members of that council, but who are not then members of the Council”.
- 2.3 The title of Freeman may be granted to anyone who is “a person of distinction” who, in the opinion of the Council “rendered eminent services to the council”
- 2.4 It is the responsibility of the Council to decide what amounts to “eminent service” in this context.
- 2.5 The Scheme attached at Appendix A suggests criteria against which the Council may wish to choose to judge the award of such an honour.
- 2.6 Other Council’s when conferring such an honour provide the following by way of example:
- 2.6.1 Scrolls; badges of office, invitations to civic events, etc.
- 2.7 In addition to this, Councils who grant this honour fly the civic flag at half mast on the death of those who have been granted the title.

## **3 PROCESS FOR NOMINATION**

- 3.1 A process for the award of such honours is set out in the attached at Appendix A and it provides for Council to make the decision in relation to the award. It should be noted that a scheme is not required for the award however it is hoped that the Scheme provides some helpful transparency for those wishing to make nominations and for the public in understanding why the Council would confer such an honour.
- 3.2 It should be noted that this is a rare matter upon which a two-thirds majority is required in order for the honour to be confirmed and the meeting must be specially convened for the purpose of making the award. This means that the agenda must exclusively relate to this business and no other.
- 3.3 There are a variety of practices in arranging such meetings but it is suggested that there should be a very limited number of the meetings with 1 per electoral cycle being appropriate in most instance. This has not been included in the Policy to ensure that the Council is able to react to any exceptional circumstance but is included here to help set expectations and ensure that it is clear that such activity is exceptional.
- 3.4 The legislation is silent on the ability to withdraw such an award. In the absence of

provisions in the legislation making provision for this it is the view of Officers that the honour may be withdrawn by Council upon a vote of the full Council. In light of the fact that there is no provision requiring a two thirds majority then this would be by simple majority vote as with most other matters.

#### **4 CONSULTATION**

- 4.1 The information presented in the report has been compiled in consultation with the Group Leaders.
- 4.2 In addition to this the CRWG considered the report and the attached scheme at the last meeting. The Group agreed at that meeting that Councillors would provide feedback with their thoughts on the proposed Scheme to enable these to be discussed and the matter progressed for a decision at this meeting.
- 4.3 At Appendix B a table is attached containing all of the comments that were received from Councillors on this matter. Included in the table are some responses where there is a clear legal answer to the matters put forward.

#### **5 ALTERNATIVE OPTIONS**

- 5.1 It is considered that there a number of options
  - 5.1.1 Proceed with the scheme as set out;
  - 5.1.2 Proceed with an alternate or amended Scheme;
  - 5.1.3 Proceed to award such honours without a Scheme in place;
  - 5.1.4 Not to proceed and to make a decision that the Council does not wish to confer this honour at this time.
- 5.2 The reasons for the Scheme are set out in the report above. Should Council wish to amend the proposed Scheme then this is a matter for Council and they may do so as they wish so long as the alterations meet the provisions of the legislation.
- 5.3 For the 3<sup>rd</sup> option there is nothing to prevent the Council from doing this however members may wish to consider the extent to which this would be transparent and enable the public to understand why the Council would choose to make such an award.

#### **6 FINANCIAL IMPLICATIONS**

- 6.1 Section 249 of the Local Government Act 1972 permits the Council to spend “such reasonable sum as they think fit for the purpose of presenting an address, or a casket containing an address, to a person on whom they have conveyed the title...”
- 6.2 The financial implications would depend on what is included in the award process. It is not anticipated that there would be a significant number of these awards as the evidence from other authorities is that there can be a number of nominations to acknowledge historical contribution following initial adoption of a scheme but then there are only a small number usually shortly after ordinary elections

## **7 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 7.1 The process requires a two thirds majority vote and must be done at a meeting specifically set aside for the purpose.
- 7.2 There is some debate about the ability to withdraw then honour once confirmed however this view is taken that as there is nothing to prevent this then it is possible.

## **8 EQUALITY IMPACT ASSESSMENT**

- 8.1 An Equality Impact Assessment (EqIA) has not been completed because the award criteria are set out in the relevant legislation.

## **9 COMMUNITY SAFETY IMPLICATIONS**

- 9.1 There are no community safety implications arising from this report.

## **10 HEALTH AND WELLBEING IMPLICATIONS**

- 10.1 There are no health and well-being implications arising from this report.

## **11 BACKGROUND PAPERS**

- 11.1 None

## **12 APPENDICES**

- 12.1 Appendix A: Policy

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.