



Annual Council

14<sup>th</sup> May 2012

**Subject: HONORARY ROLES (ALDERMEN/FREEMEN)– CRITERIA, PROCESS, ROLES AND LIMITATIONS**

Report by:

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Purpose / Summary:

The purpose of this report is to present for agreement, a suggested role, limitations, criteria and process for agreement in accordance with Section 249 of the Local Government Act 1972, to be used in the consideration of a nomination for an Honorary Alderman and Honorary Freeman of the District.

**RECOMMENDATION(S):**

- 1) That Members agree the role, limitations, criteria and process for conferring the title of 'Honorary Freeman' and 'Honorary Alderman' to a nominated individual as set out in this report.**
- 2) The Members resolve to amend the constitution to add conferring the title of Honorary Freeman in to Council's Terms of Reference (part 4 page 2, and Article 4, (Part 2 Page 9).**

## IMPLICATIONS

**Legal:** This decision is made under the legal framework of the 1972 Local Government Act, Section 249, and 2009 Local Democracy, Economic Development and Construction Act as detailed in this report. In addition the 1980 Local Government Planning and Land Act also applies.

**Financial :**There are no financial implications for the agreement of a set of criteria for the purpose of conferring the title of Honorary Alderman / Freeman.

**Staffing :** None

**Equality and Diversity including Human Rights :** None

**Risk Assessment :**

There is a risk that a nomination may be received for an honorary title and no process has been put in place. Without an agreed process, nominations may be dealt with inconsistently and the decisions made can be open to challenge.

**Climate Related Risks and Opportunities :** None

**Title and Location of any Background Papers used in the preparation of this report:**

Civic Ceremonial (Fifth Edition), by Paul Millward – copy kept at West Lindsey DC Offices

1972 Local Government Act – available on the internet

2009 Local Democracy, Economic Development and Construction Act – available on the internet

1980 Local Government Planning and Land Act – available on the internet

Committee and Council reports by various local authorities on this subject matter as reference material.

**Call in and Urgency:**

**Is the decision one which Rule 14 of the Scrutiny Procedure Rules apply?**

Yes

No

**Key Decision:**

Yes

No

## **1. BACKGROUND**

- 1.1 In 2009, the Local Democracy, Economic Development and Construction Act was passed, amending the Local Government Act 1972 to allow District Councils to appoint Honorary Aldermen and Honorary Freeman. The below notes refer:
- 1.1.1 Section 249(1) of the Local Government Act 1972 as amended by the Local Democracy, Economic Development and Construction Act 2009 states “that a principal council may, by a resolution passed by not less than two thirds of the members voting thereon, at a meeting of the Council specially convened for the purpose with notice of the object, confer the title of Honorary Alderman 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.”
- 1.1.2 Section 249(5) of the Local Government Act 1972 as amended by the Local Democracy, Economic Development and Construction Act 2009 gives Councils the power to bestow the honour of Honorary Freeman and to grant “freedom of entry to the District” to persons of distinction and persons who have, in the opinion of the Authority, rendered eminent services to that place or area.
- 1.2 The Council currently has no appointed Honorary Aldermen or Honorary Freeman, but are able to undertake such an appointment as set out above.
- 1.3 There is no statutory guidance or definition of “eminent services” and therefore West Lindsey District Council will have to set their own criteria for the appointment of Honorary Aldermen and Honorary Freeman. A suggested criteria and process has been drawn up and are set out in this report for agreement.
- 1.4 Each Council may set the guidelines and limitations for the role of their Honorary Aldermen / Freeman. This report sets out a suggested role for agreement.
- 1.5 Members should note that an Honorary Freedom is the highest honour that the District Council may bestow, and in the view of many, should not be given too often.
- 1.6 Honorary Freeman are not mentioned in the Constitution of this Council, although Councils are given the right by law to appoint them. This report asks members to resolve to add this right to the Constitution.

## **2. HONORARY ALDERMEN**

### **2.1 Role**

- a) To enjoy the Courtesy Title of Honorary Alderman and be so addressed and to receive a badge of office, and also to have their name entered on to the Roll of Honour outside the Council Chamber.

- b) Invited to attend Civic Functions hosted by the Council (Services, Dinners, Charity Events etc) and be invited to take part in civic processions with precedence over currently serving members but not the Chairman or Vice Chairman.
- c) Invited to attend meetings of Annual Council for the Appointment of Chairman, Vice Chairman, and Chairman's Chaplain, and may attend Council meetings as a non-participating guest and will have a seat reserved for them in the Chamber.
- d) Welcome to receive Minutes, Agendas and Papers (non-exempt only) for meetings of Council.
- e) Welcome to receive the Council Year Book.
- f) If the Alderman has held the office of Chairman or Vice Chairman during their service to West Lindsey District Council, they may be called upon to represent the Council at a Civic Function in the absence of the Chairman or Vice-Chairman of the Council.
- g) To wear their Aldermanic Badge at any function or meeting that they are attending in their capacity as Alderman.
- h) May wish to assist the Chairman in Charity Fund Raising for the Chairman's chosen Charity / Charities.
- i) Be an ambassador for the Council and promote Civic Pride.
- j) On death, to be accorded the same honours as a former Chairman or serving member of Council, with the Civic Flag flying at half mast and representation from the Civic Office at the funeral (if requested).
- k) To be given access to the Members Room at West Lindsey District Council Offices.
- l) To receive, on request to the Returning Officer, an invitation to the election count.
- m) To enjoy such privileges as West Lindsey District Council may from time to time confer upon Honorary Aldermen.
- n) The honour bestowed on an Honorary Alderman is life long, unless the Council wish to make steps to relinquish the honour.

## 2.2 Limitations

- a) No payments will be made to an Alderman for any service or expenditure that they undertake whilst in office.
- b) May not take part in Council meetings.

- c) Aldermen may be reappointed by election of the public to serve on West Lindsey District Council, but their Aldermanic Office is suspended for the period of their appointment.

### 2.3 Criteria

- a) Must be a Former Councillor of West Lindsey District Council
- b) Must have completed 12 or more years of service to West Lindsey District Council (Service does not have to be continual)
- c) Must have concluded their service to the Council within the past 4 years
- d) Consideration may be given to Members who have completed less than 12 years service that have held the title of Chairman, Vice Chairman, Leader, Deputy Leader, Leader of the Opposition, or Deputy Leader of the Opposition.
- e) Must be considered suitable for fulfilling the role of an Alderman with a proven track record of effective leadership and/or achievement, and respected by their peers and communities.

### 2.4 Process

- a) A nominee must be nominated in writing (including fax and electronic submissions) to the Chairman's Officer by a current serving Member of Council, preferably (but not exclusively) by the Leader of the nominees party.
- b) A nomination will be measured against the agreed criteria and considered by the Chief Executive in consultation with the Chairman of the Council (or Vice-Chairman if there is a conflict of interest), Monitoring Officer and Chairman's Officer prior to submission to an extraordinary meeting of Council for a final decision. It will be determined prior to calling a meeting of Council whether a candidate fills a substantial amount of the criteria.
- c) A proposition must be approved by two thirds of the present Members at a meeting of Council called specifically for that sole purpose.
- d) On the passing of the recommendation it should be announced that at the following meeting of Council an aldermanic badge will be presented to the candidate with a small reception following the meeting hosted by the Chairman in celebration.

## **3. HONORARY FREEMEN**

### 3.1 Role

- a) Any persons declared Honorary Freeman of the District may designate him/herself 'Honorary Freeman of the District of West Lindsey'.

- b) Invited to attend Civic Functions hosted by the Council (Services, Dinners, Charity Events etc) and be invited to take part in civic processions with precedence over currently serving members but not the Chairman or Vice Chairman.
- c) Invited to attend meetings of Annual Council for the Appointment of Chairman, Vice Chairman, and Chairman's Chaplain, and may attend Council meetings as a non-participating guest and will have a seat reserved for them in the Chamber.
- d) The honour bestowed on an Honorary Freeman is life long, unless the Council wish to make steps to relinquish the honour.

### 3.2 Limitations

- a) No payments will be made to an Honorary Freeman for any service or expenditure that they undertake.
- b) They may attend Annual Council, but not take part in the proceedings.
- c) At any one time, a maximum of four living persons only, unless otherwise decided by the Council, may hold the title of 'Honorary Freeman of the District of West Lindsey'.

### 3.3 Criteria

- a) The honour shall not be restricted to former Members or Staff of West Lindsey District Council;
- b) Preference will be given to a person who performs in a voluntary capacity, but this should not preclude the honour being awarded to a person whose dedication and contribution is significantly above that expected from their occupation;
- c) The contribution to the welfare of the community must involve one or more of the following factors:-
  - i. significant contribution of the persons time in serving members of the community for the improvement of their welfare.
  - ii. the promotion, achievement and/or delivery of community services in which a real personal role and contribution is made.
  - iii. whilst difficult to define, the contribution must be outstanding in that it can be seen to stand above the contributions of most other persons.
- d) All nominees should have carried out their largely voluntary roles for a period of at least 14 years;
- e) Any nominated District / Town / Parish / County Councillor or West Lindsey staff member must have retired from post;

### 3.4 Process

- a) A nomination for a Freeman will be measured against criteria considered by the Chief Executive in consultation with the Chairman of Council (or Vice-Chairman if there is a conflict of interest), Monitoring Officer and Chairman's Officer prior to submission to an Extraordinary Meeting of Council for a final decision. It will be determined prior to calling a meeting of Council whether a candidate fills a substantial amount of the criteria.
- b) A nominee must be nominated in writing (including fax and electronic submissions) to the Chairman's Officer. This nomination can be made by any resident or elector of the district of West Lindsey, but must be in the strictest of confidence without the nominees knowledge;
- c) The nomination must be sponsored by a currently serving West Lindsey District Councillor.
- d) Submission on the nomination should be evidence based by outlining the voluntary service provided by the individual to the community and any other examples of 'community spirit' to justify the honour.
- e) Following measurement against criteria, nominations will be circulated to all Members of Council on a confidential basis. Councillors will be given the opportunity to state any objections to the nomination in a confidential manner and reasons for any objection to a nomination must be given.
- f) A proposition must be approved by two thirds of the present Members at a meeting of Council called specifically for that sole purpose.
- g) The resolution should recite the particular grounds upon which the Council have come to their decision, and details of the public services rendered by the recipient should be included.
- h) On the passing of the recommendation it should be announced that at the following meeting of Council a signed oath will be taken by the Honorary Freeman and a Freedom Scroll will be presented to the candidate with a small reception following the meeting hosted by the Chairman in celebration.

## 6. **DECISION**

- 6.1 This report asks Members to consider the above set out roles, limitations, criteria and processes for the positions of Honorary Aldermen and Honorary Freemen and agree the suggestions put forward for resolution.
- 6.2 These criteria and definitions will then remain on file to be used if or when any formal nomination is made for either of these positions.
- 6.3 As a note, Extraordinary Meetings of Council for the purpose of these appointments can be called just prior or following a normal meeting of Council.