



28 January 2013

Council

Subject: HONORARY ROLES AND TITLES (ALDERMEN / FREEMEN / FREEDOM OF THE DISTRICT) – CRITERIA, PROCESS, ROLES AND LIMITATIONS

Report by:

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Purpose / Summary:

Further to the discussions and amendments that have taken place at various meetings of Council and Challenge and Improvement Committee, roles, limitations, criteria and processes for the titles of Honorary Alderman, Honorary Freeman, and Honorary Freedom of Entry are presented for agreement.

RECOMMENDATION(S):

- 1) That Members agree the roles, limitations, criteria and processes for conferring Honorary titles; and**
- 2) That Members agree the composition of an Honours Panel.**

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 role, limitations, process and criteria for the purpose of conferring the title of Honorary Alderman / Freeman / Freedom of Entry.

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. INTRODUCTION

1.1 A report on West Lindsey Honours has been submitted to the following meetings for consideration:

- 14 May 2012 – Annual Council
- 29 May 2012 – Challenge and Improvement Committee
- 26 June 2012 – Challenge and Improvement Committee
- 2 July 2012 – Council.
- 11 September 2012 – Challenge and Improvement committee

Following debate at the meeting of Council on 2nd July 2012, the matter was referred to Challenge and Improvement Committee for further consideration to scrutinise the report and submit it back to Council for ratification.

1.2 Following the meeting of Council on 2nd July 2012, All Members of Council were given the opportunity to comment further by email on the proposals in the report and make suggestions for amendment.

1.3 Views of Members that were expressed at all the above meetings, and submitted by email have been captured by officers and incorporated where possible in to this report.

1.4 Challenge and Improvement Committee scrutinised the report again and made two amendments. The minutes relating to this item are attached as Appendix A.

1.5 This report sets out the amended roles, limitations, criteria and processes for conferring the titles of:

- a) Honorary Alderman of the District of West Lindsey;
- b) Honorary Freeman of the District of West Lindsey; and
- c) Honorary Freedom of Entry to the District of West Lindsey.

2. BACKGROUND

2.1 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, Honorary Freemen and Freedom of Entry. The below notes refer:

2.1.1 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."

- 2.1.2 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.
- 2.2 The Council do not have any appointed Honorary Aldermen or Honorary Freeman, and have not awarded Honorary Freedom of Entry to any collective of people, but are able to undertake such an appointment as set out above.
- 2.3 As the Council are now able to make these appointments, (whether they choose to or not) nominations may be received in light of this power. If the Council do not agree a role, limitations, criteria and process for these positions there is a risk that nominations may be dealt with inconsistently and therefore be open to public challenge.
- 2.4 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 these titles. A suggested role, limitations, criteria and process has been drawn up and are set out in this report for agreement.
- 2.5 A ‘fair group’ of Members and officers needs to be appointed as an ‘Honours Panel’. The details for this panel are set out in section 6 of this report.

3. HONORARY ALDERMEN

3.1 Role

- a) To enjoy the Courtesy Title of Honorary Alderman and be so addressed.
- b) To receive a badge of office, and to have their name entered on to the Roll of Honour outside the Council Chamber.
- c) To be invited to attend Civic Functions hosted by the Council and be invited to take part in civic processions.
- d) To be invited to attend meetings of Annual Council, and may attend Council meetings as a non-participating guest and a seat will be reserved for them in the Chamber.
- e) They are welcome to receive the Council Year Book on request.

- f) If the Honorary Alderman has held the office of Chairman or Vice Chairman during their service to West Lindsey District Council, they may be called upon to assist the Council through representation 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) They may wish to assist the Chairman in Charity Fund Raising for the Chairman's chosen Charity / Charities.
- i) To 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.

3.2 Limitations

- a) Honorary 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 as a Councillor.
- b) The Honorary title may be removed by way of Council resolution in light of circumstances such as imprisonable criminal conviction, or bringing the Council in to disrepute.
- c) No payments will be made to an Honorary Alderman for any expenditure or service that they undertake whilst in office.

3.3 Criteria

- a) Must be a Former Councillor of West Lindsey District Council.
- b) Candidates should have rendered eminent services by way of exceptional contribution to the district and its Council in terms of length of service and, in particular, achievement whilst in office.
- c) Must be considered suitable for fulfilling the role of an Honorary Alderman, and respected by their peers and communities.

- d) Their achievement should be exemplary and ideally link to one of the themes within the Corporate Plan.

3.4 Process

- a) A nominee must be nominated in writing (including fax and electronic submissions) to the Civic Officer by a currently serving Member of Council and seconded by a further serving Member of Council.
- b) A meeting of an Honours Panel will be called on receipt of a nomination where it will be considered against the agreed criteria.
- c) Following measurement against criteria, nominations will be circulated to all Members of Council in an appropriate format on a **confidential** basis. Councillors will be given the opportunity to state any objections to the nomination in writing and in a confidential manner and reasons for any objection to a nomination must be given.
- d) The Honours Panel will consider any objections and decide whether a candidate fills a substantial amount of the criteria before requesting for the Chief Executive to call an extraordinary meeting of Council. An extraordinary meeting of Council will not be called if the objections are as such that the Panel determines that a nomination will not be supported by the Council.
- e) If an extraordinary meeting of Council is called to consider the nomination then it will be called immediately prior to or following a scheduled meeting of Council.
- f) The report containing the nomination will be considered exempt under paragraphs 1 and 2 of schedule 12a of the Local Government Act 1972 and will only be deemed carried if approved by two thirds of the present Members at the extraordinary meeting of Council called specifically for that sole purpose.
- g) A candidate will not be aware of a nomination until advised of their appointment following approval by Council. They will not be made aware of a nomination if unsuccessful. Only successful nominations will be made public.
- h) On the passing of the recommendation it should be announced that at a future 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.

4. HONORARY FREEMEN

4.1 Role

- a) Any persons declared Honorary Freeman of the District may designate him/herself 'Honorary Freeman of the District of West Lindsey'.
- b) Honorary Freeman will be invited to attend Civic Functions hosted by the Council and be invited to take part in civic processions.
- c) Honorary Freeman will be invited to attend meetings of Annual Council and may attend Council meetings as a non-participating guest and will have a seat reserved for them in the Chamber.
- d) To enjoy such privileges as West Lindsey District Council may from time to time confer upon Honorary Freeman.

4.2 Limitations

- a) The Honorary title may be removed by way of Council resolution in light of circumstances such as imprisonable criminal conviction, or bringing the Council in to disrepute.
- b) No payments will be made to an Honorary Freeman for any expenditure or services that they undertake whilst in office.

4.3 Criteria

- a) The honour can be bestowed on any person who lives, works or is intrinsically linked with the District of West Lindsey apart from currently serving District / County Councillors or West Lindsey staff members.
- b) Ideally the honour will be bestowed on 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) All nominees should:
 - have rendered eminent services by way of exceptional contribution to the district;
 - show evidence of outstanding community spirit;
 - their achievement should be exemplary; and
 - their achievement should ideally link to one of the themes within the Corporate Plan.

4.4 Process

- a) A nominee must be nominated in writing (including fax and electronic submissions) to the Civic 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 nominee's knowledge.

- b) The nomination must be sponsored by a currently serving West Lindsey District Councillor.
- c) A meeting of an Honours Panel will be called on receipt of a nomination where it will be considered against the agreed criteria.
- d) Following measurement against criteria, nominations will be circulated to all Members of Council in an appropriate format on a **confidential** basis. Councillors will be given the opportunity to state any objections to the nomination in writing and in a confidential manner and reasons for any objection to a nomination must be given.
- e) The Honours Panel will consider any objections and decide whether a candidate fills a substantial amount of the criteria before requesting for the Chief Executive to call an extraordinary meeting of Council. An extraordinary meeting of Council will not be called if the objections are as such that the Panel determines that a nomination will not be supported by the Council..
- f) If an extraordinary meeting of Council is called to consider the nomination then it will be called immediately prior or following a scheduled meeting of Council.
- g) The report containing the nomination will be considered exempt under paragraphs 1 and 2 of schedule 12a of the Local Government Act 1972 and will only be deemed carried if approved by two thirds of the present Members at the extraordinary meeting of Council called specifically for that sole purpose.
- h) 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.
- i) A candidate will not be aware of a nomination until advised of their appointment following approval by Council. They will not be made aware of a nomination if unsuccessful. Only successful nominations will be made public.
- j) On the passing of the recommendation it should be announced that at a future 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.

5. HONORARY FREEDOM OF ENTRY TO THE DISTRICT OF WEST LINDSEY

5.1 Associated with Honorary Freedoms is the 'Freedom of Entry' which has been granted by a number of Cities / Boroughs / Districts to service units (regiments, ships of the Royal Navy, RAF Stations, etc) which have rendered conspicuous service and which are closely associated with the City / Borough / District.

5.2 The Honorary Freedom provides a dignified and satisfactory means of enabling a Borough (or in this case a District) to honour a distinguished unit of Her Majesty's Forces.

5.3 Role

- a) The honoured unit may designate themselves as in receipt of an Honorary Freedom of Entry to the District of West Lindsey.
- b) A representative of the honoured unit will be invited to attend civic functions hosted by the Council and be invited to take part in civic processions.
- c) To receive a Freedom Scroll and have the name of the honoured unit entered on the Roll of Honour outside the Council Chamber.
- d) To enjoy such privileges as West Lindsey District Council may from time to time confer upon units in receipt of Honorary Freedoms.

5.4 Limitations

- a) No payments will be made to an honoured unit for any expenditure or service undertaken whilst in office.

5.5 Criteria

- a) The honour can be bestowed on any distinguished unit of Her Majesty's Forces who are intrinsically linked / associated with the District of West Lindsey; be this by location or service to the area.
- b) Exceptional contribution to the district and/or country should have been made and should ideally link to one of the themes within the Corporate Plan.
- c) An award is given on the basis of appreciation of the services rendered to the country. Each nomination will be considered on an individual basis.

5.6 Process

- a) A nomination must be submitted in writing (including fax and electronic submissions) to the Civic 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 nominee's knowledge.
- b) The nomination must be sponsored by a currently serving West Lindsey District Councillor.
- c) A meeting of an Honours Panel will be called on receipt of a nomination where it will be considered against the agreed criteria.
- d) Following measurement against criteria, nominations will be circulated to all Members of Council in an appropriate format on a **confidential** basis. Councillors will be given the opportunity to state any objections to the nomination in writing and in a confidential manner and reasons for any objection to a nomination must be given.
- e) The Honours Panel will consider any objections and decide whether the nominated unit fills a substantial amount of the criteria before requesting for the Chief Executive to call an extraordinary meeting of Council. An extraordinary meeting of Council will not be called if the objections are as such that the Panel determines that a nomination will not be supported by the Council.
- f) If an extraordinary meeting of Council is called to consider the nomination then it will be called immediately prior or following a scheduled meeting of Council.
- g) The report containing the nomination will be considered exempt under paragraphs 1 and 2 of schedule 12a of the Local Government Act 1972 and will only be deemed carried if approved by two thirds of the present Members at the extraordinary meeting of Council called specifically for that sole purpose.
- h) 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.
- i) Candidate units will not be aware of a nomination until advised of their appointment following approval by Council. They will not be made aware of a nomination if unsuccessful. Only successful nominations will be made public.
- j) On the passing of the recommendation it should be announced that, at a future meeting of Council, a Freedom Scroll will be presented to a representative of the unit. A small reception or organised Freedom Parade will be held on a separate occasion for the unit hosted by the Chairman in celebration.

6. HONOURS PANEL

- 6.1 An Honours Panel will need to be established to be called together (on an ad hoc basis) on receipt of a nomination for any of the Honorary Roles set out in this report.
- 6.2 The composition of the Honours Panel will be:
- a) politically balanced; and
 - b) the chosen Members and officers will not have a conflict of interest regarding the nominated person / unit
- 6.3 Due to the nature of these awards, the most appropriate Members will be called together on a nomination by nomination basis. The reason for this is that nominees may reside within a Member's ward / may have been a political party colleague / may have worked with a Member in other voluntary roles they may have held. It would be impractical to appoint to this Panel on a yearly or office term basis.
- 6.4 The guidance for choosing Members of the Honours Panel is as follows:
- Chairman of the Council (replaced by a representative when a conflict of interest occurs) who will be the representative of their office and their **political party**;
 - A Member from each of the other political parties;
 - An Independent Co-Opted member of the Council (an existing member, chosen by the Monitoring Officer upon receipt of a nomination who has no conflict of interest); and
 - A Chief Officer.
- 6.5 The Civic Officer will be required to assist the Panel and will attend meetings, but not form part of the Panel.
- 6.6 The role of the Honours Panel is to:
- Consider any nominations received against the criteria and role of the honorary title;
 - Ensure that Members of the Council have an opportunity to make objections in a confidential manner;
 - Be aware of the current numbers of appointed honorary titles and defer Council consideration if deemed necessary; and
 - Make recommendations to Council for conferring Honorary Titles.

7. DISCUSSIONS AND DECISIONS

- 7.1 The report asks Members to consider the discussions that have taken place at both meetings of Council and Challenge and Improvement Committee and agree the roles, limitations, criteria and processes for the consideration of Honorary Aldermen, Honorary Freemen and Honorary Freedom of Entry for West Lindsey District Council.

7.2 In addition it requests approval of an Honours Panel.

**EXTRACT FROM THE MINUTES TAKEN AT CHALLENGE AND
IMPROVEMENT COMMITTEE HELD ON 11 SEPTEMBER 2012**

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Challenge and Improvement Committee held in the Council Chamber at the Guildhall, Gainsborough on 11 September 2012 commencing at 6.30 pm.

24 WEST LINDSEY HONOURS (CAI.13 12/13)

The Governance and Civic Officer introduced the West Lindsey Honours report which had previously been considered by the Challenge and Improvement Committee and subsequently referred to Council for approval. The Council meeting on 2 July referred the report back to Challenge and Improvement Committee for further consideration and amendments.

All Members' views had been sought on proposed changes and the amended report was now presented for the Committee to recommend to Council.

The requested changes were summarised:-

- assurance was given on confidentiality of nominations;
- the word 'severe' be removed from the mention of disrepute;
- the Panel to manage the numbers of awards and no specific limit be set;
- the Panel to be politically neutral;
- no change to the provision of expenses;
- Freedom of Entry was more clearly explained.

During the consultation a further proposal had been submitted that Town and Parish Councillors not be excluded from the criteria for Honorary Freeman, and it was then further proposed that the requirement of four years since conclusion of service be removed for Honorary Aldermen.

Note Councillor Tinker arrived at this point of the meeting.

It was moved and seconded that the proposed amendments above be included in the report for submission to Council, and upon being voted upon the **AMENDMENTS WERE AGREED**.

Members also asked about the possibility of Community awards but it was confirmed that this was a separate matter which was due to be considered by the Prosperous Communities Committee.

The recommendations in the report with the agreed amendments were then voted upon.

RESOLVED that:

- 1) the amended roles, limitations, criteria and processes for conferring Honorary titles be referred to Council for ratification; and
- 2) the amended composition of an Honours Panel to be recommended to Council for ratification.