

Civic Award (December 2022)

For Full Council on Wednesday 14 December 2022

Summary

Lead Member: Councillor David Hayward – Cabinet Member for Governance and Transparency

Lead Director: Lee Colyer – Director of Finance, Policy and Development

Head of Service: Jane Clarke – Head of Policy and Governance

Report Author: Mark O’Callaghan – Scrutiny and Engagement Officer

Classification: Partially Exempt from Disclosure – Exempt Appendix A and B – Exempt by virtue of paragraph 1 of Schedule 12A of the Local Government Act 1972 (as amended): Information relating to any individual.

Wards Affected: All

Approval Timetable	Date
Informal nominations working group	08 September 2022
Portfolio Holder	27 October 2022
Communities and Economic Development Cabinet Advisory Board	09 November 2022
Cabinet	17 November 2022
Full Council	14 December 2022

Recommendations

Recommendation as supported by the informal nominations working group:

- That the individual set out at Exempt Appendix A to the report be granted Honorary Freedom of the Borough.

1. Introduction and Background

- 1.1 This report advises members of the Council of a nomination for Honorary Freedom of the Borough and invites its consideration.
- 1.2 Honorary Freedom of the Borough is the highest honour the Borough can bestow and by that nature must be reserved for the most deserving cases.
- 1.3 The nomination papers are set out at Exempt Appendix A and some additional background information is set out at Exempt Appendix B. Both are confidential.

Legal Power

- 1.4 The power to award Honorary Freedom of the Borough is contained within section 249 of the Local Government Act 1972 which empowers a relevant authority to *“admit to be honorary freemen of the place or area for which it is the authority – persons of distinction, and persons who have, in the opinion of the authority, rendered eminent services to that place or area.”*
- 1.5 There is no legal standard by which eligibility is measured.
- 1.6 The power is exercisable by a resolution of the relevant authority passed at a special meeting convened for that purpose by not less than two-thirds of the members present.
- 1.7 The authority may spend such reasonable sums as it thinks fit for the purpose of presenting an address to a person whom the authority has conferred the title of Honorary Freeman.
- 1.8 There are no legal rights or privileges conferred with the Honorary Freedom of the Borough, the position is one of honour and dignity.

Confidentiality

- 1.9 The nomination papers are set out at Exempt Appendix A to the report. The name of the nominee and the reasons for the nomination are confidential unless and until the award is made.
- 1.10 Members may discuss in general terms whether the nominee meets the criteria during a public session but must not mention the name of the nominee or any information which could identify them, except in a duly convened private session.
- 1.11 Only if Full Council approve an award and the proposed recipient has accepted the award will the name and citation be made public.

Process

- 1.12 In accordance with the adopted procedure, the nomination was considered and supported by an informal, cross-party working group consisting of the Mayor and the leaders of the political groups.
- 1.13 The Communities and Economic Development Cabinet Advisory Board is consulted on route to Cabinet which is invited to make a recommendation to Full Council.
- 1.14 If supported by Cabinet, an Extraordinary Meeting of Full Council will be convened at which the nomination will be put to the vote. The motion requires a two-thirds majority to pass.
- 1.15 If agreed by Full Council a separate presentation event of suitable standing will be arranged in the near future.

2. Options Considered

- 2.1 Members are not bound by the recommendation of the working group.
- 2.2 Members are requested to use their best judgement in determining whether the nomination set out at Exempt Appendix A meets the criteria for Honorary Freedom of the Borough.

3. Consultation

- 3.1 The nomination form, set out at Exempt Appendix A, includes two independent testimonials.
- 3.2 The nomination was considered and supported by the informal cross-party working group at their meeting on 08 September 2022.

Recommendation from Cabinet Advisory Board

- 3.3 The Communities and Economic Development Cabinet Advisory Board was consulted on this decision at their meeting on 9 November 2022 and the Board supported the nomination.

Recommendation from Cabinet

- 3.4 The Cabinet was consulted on this decision at their meeting on 17 November 2022 and the Cabinet supported the nomination.

4. Implementation

- 4.1 The final decision to award the Honorary Freedom of the Borough will be made by Full Council at the Extraordinary Meeting immediately prior to the scheduled meeting on 14 December 2022, but it will not be presented at this stage.
- 4.2 If the Council agrees the award, the nominee will then be formally advised and invited to accept the award.
- 4.3 Once the nominee accepts the award, the Council will arrange a suitable public event at which to present the award in person (they may opt to receive the award privately) and the award will be publicly announced.
- 4.4 The associated cost is approximately £2000. There is no separate budget for civic awards therefore the cost is met from general reserves.

5. Appendices and Background Documents

Appendices:

- None.

Exempt appendices (if any):

- Exempt Appendix A: Nomination Papers
- Exempt Appendix B: Background Information

Background Papers:

- None

6. Cross Cutting Issues

A. Legal (including the Human Rights Act)

The power to award Honorary Freedom of the Borough is contained within section 249 of the Local Government Act 1972 which empowers a relevant authority to “admit to be honorary freemen of the place or area for which it is the authority – persons of distinction, and persons who have, in the opinion of the authority, rendered eminent services to that place or area.

Robin Harris, Team Leader (Contentious and Corporate Governance), 31 October 2022

B. Finance and Other Resources

The associated cost is approximately £2000. There is no separate budget for civic awards therefore the cost is met from general reserves.

Lee Colyer, Director of Finance, Policy and Development, 21 October 2022.

C. Other Implications (Staffing, Risk Management, Environment and Sustainability, Community Safety, Equalities, Data Protection, Health and Safety, Health and Wellbeing)

Data Protection: The personal information of the nominee is confidential and will remain exempt and/or redacted until such time as consent is given by the nominee to make the personal information manifestly public.

There are no other significant implications as a result of this decision.

Mark O’Callaghan, Scrutiny and Engagement Officer, 20 October 2022.