

Civic Award (May 2023)

For Full Council on Wednesday 24 May 2023

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: Renee Dillon – Democratic & Executive Support Services Manager

Report Author: Caroline Britt – Senior Democratic Services 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	28 February 2023
Communities and Economic Development Cabinet Advisory Board	13 April 2023
Cabinet	20 April 2023
Full Council	24 May 2023

Recommendations

Recommendation as supported by Cabinet:

- That Full Council awards to the organisation as set out at Exempt Appendix A to the report 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 an organisation 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 was considered and supported by the informal cross-party working group at their meeting on 28 February 2023.

Recommendation from Cabinet Advisory Board

- 3.3 The Communities and Economic Development Cabinet Advisory Board was consulted on this decision at their meeting on 13 April 2023 and the Board supported the nomination.

Recommendation from Cabinet

- 3.4 Cabinet was consulted on this decision at their meeting on 20 April 2023 and 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 scheduled for Wednesday 24 May 2023, 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 (this amount is a guide only). 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.

Acting on the recommendation is within the Council's power as set out in the above statutory Power.

Claudette Valmond – Head of Legal Partnership & Monitoring Officer – 2 May 2023

B. Finance and Other Resources

The cost will be met from the Democratic Services Budget

Jane Fineman – Head of Finance, Procurement and Parking – 16 May 2023

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.

Caroline Britt – Senior Democratic Services Officer – 27 April 2023