

FREEDOM OF THE BOROUGH PANEL

Tuesday, 17 April 2018 at 12.00 p.m.

Speaker's Parlour, 1st Floor, Town Hall Mulberry Place, London, E14
2BG

This meeting is open to the public to attend.

Members:

Chair: Councillor Sabina Akhtar

Mayor John Biggs, Councillor Rajib Ahmed, Councillor Khales Uddin Ahmed, Councillor Abdul Asad, Councillor Gulam Kibria Choudhury, Councillor Peter Golds, Councillor Shafiqul Haque, Councillor Denise Jones, Councillor Abdul Mukit MBE and Lesley Pavitt, Preeti Udas

[The quorum for this body is 3 Members]

Contact for further enquiries:

Matthew Mannion, Democratic Services
1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14
2BG
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E-mail: matthew.mannion@towerhamlets.gov.uk
Web: <http://www.towerhamlets.gov.uk>

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agenda:



1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

5 - 8

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Chief Executive.

3. UNRESTRICTED MINUTES

9 - 12

4. ANY OTHER UNRESTRICTED BUSINESS

5. EXCLUSION OF THE PRESS AND PUBLIC

In view of the contents of the remaining items on the agenda, the Committee is recommended to adopt the following motion:

“That, under the provisions of Section 100A of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985, the Press and Public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A to the Local Government, Act 1972”.

EXEMPT/CONFIDENTIAL SECTION (PINK)

The Exempt / Confidential (Pink) Committee papers in the Agenda will contain information, which is commercially, legally or personally sensitive and should not be divulged to third parties. If you do not wish to retain these papers after the meeting, please hand them to the Committee Officer present.

6. RESTRICTED MINUTES

13 - 14

7. RESTRICTED REPORTS FOR CONSIDERATION:

7.1 NOMINATIONS FOR FREEDOM OF THE BOROUGH REPORT

15 - 54

8. ANY OTHER RESTRICTED BUSINESS

Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Asmat Hussain, Corporate Director, Governance & Monitoring Officer 0207 364 4800

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE FREEDOM OF THE BOROUGH

HELD AT 4.25 P.M. ON WEDNESDAY, 7 MARCH 2018

**SPEAKERS PARLOUR, 1ST FLOOR TOWN HALL, MULBERRY PLACE, 5
CLOVE CRESCENT, LONDON, E14 2BG**

Name

Councillor Sabina Akhtar (Chair)	Speaker of the Council
Councillor Khales Uddin Ahmed	Member
Councillor Peter Golds	Member
Councillor Denise Jones	Member
Preeti Udas	(Co-opted Member) representing THCVS – voluntary sector

Officers

Patricia Attawia	Executive Support to Speaker
Janet Fasan	Divisional Director Legal
Matthew Mannion	Committee Services Manager
Rushena Miah	Committee Services Officer

Apologies

Councillor Abdul Assad	Member
Councillor Gulam Kibria Choudhury	Member
Councillor Shafiqul Hoque	Member
Councillor Abdul Mukit	Member
Lesley Pavitt	(Co-opted Member)

1. WELCOME AND INTRODUCTIONS

The Chair welcomed Members and Officers to the meeting.

2. DISCLOSURE OF PECUNIARY INTERESTS

There were no declarations of disclosable pecuniary interests.

3. MINUTES OF THE LAST MEETING

RESOLVED

- i. The minutes of the last meeting were approved as an accurate record and signed by the Chair.

4. CO-OPTED MEMBERS REPORT

The proposed Co-optee, Preeti Udas (THCVS), was absent whilst Members deliberated on whether to co-opt her onto the Panel. Members agreed to Co-opt Preeti Udas onto the Panel which meant she could take part in the discussions.

RESOLVED

- i. To co-opt Preeti Udas onto the Freedom of the Borough Panel.

5. REPORT ON THE FREEDOM OF THE BOROUGH AWARD CEREMONY

Matthew Mannion, Committee Services Manager, presented a report on the Freedom of the Borough Award Ceremony. He provided the Panel with two options for holding the ceremony. One option was to hold the award prior to the 23 May Council meeting. The second option was to hold the meeting at the first Council meeting of the municipal year in July.

The Panel decided to hold the award ceremony on the 23rd May 2018. This would enable the current speaker to present the award.

Members requested for Matthew Mannion to provide more detail on reports and timings for the AGM.

RESOLVED

- i. To note the report.
- ii. To note the proposed budget for the event.
- iii. To aim to hold the Award Ceremony in May.

6. REPORT ON NOMINATION PROCESS

Matthew Mannion, Committee Services Manager, presented a report on the nomination process for the Freedom of the Borough. 11 nominations were received. One nominee received seven nominations. In total there were five unique nominations.

Officers reviewed the nominations and had concluded they met the criteria for consideration.

The Panel agreed to a target of forwarding one or two nominees to Council if the nominations met the criteria for selection.

RESOLVED

- i. To agree to the nomination process.

6.1 EXCLUSION OF PRESS AND PUBLIC:**NOMINATIONS RECEIVED**

The press and public were excluded from these proceedings in accordance with Section 100 (A) of the Local Government Act 1972, as amended on the grounds that further consideration of the items and options will involve the likely disclosure of exempt information as defined in paragraph 1 and 2 of Schedule 12A to the Act; information relating to an individual and information

likely to reveal the identity of an individual and would not be in the public interest.

The Committee discussed the nominations received in order to consider whether they should be forwarded for selection at a Council meeting.

7. ANY OTHER BUSINESS

There was no other business.

The meeting ended at 5.30 p.m.

Chair, Councillor Sabina Akhtar
Freedom of the Borough


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Agenda Item 6

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

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<p>Non-Executive Report of the:</p> <p>Freedom of the Borough Panel</p> <p>17 April 2018</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Asmat Hussain, Corporate Director, Governance</p>	<p>Classification: Part Exempt</p>
<p>Nominations for the Freedom of the Borough</p>	

Originating Officer(s)	Matthew Mannion, Committee Services Manager Rushena Miah, Committee Services Officer
Wards affected	All Wards

NOT FOR PUBLICATION

The appendices to this report are not for publication as they contain exempt information relating to any individual as defined in Paragraph 1 of Schedule 12A of the Local Government Act 1972. There is a public interest favouring public access to local authority meetings reflected in the provisions of Part VA of the 1972 Act. However, in this case, the report contains personal data and is concerned the nomination process for the Freedom of the Borough. There is a public interest in maintaining the confidentiality of this information to maintain the integrity of the process. On balance having regard to the rights of the individuals concerned, it is appropriate at this stage of the process that the specific nominations are considered in private.

Summary

The Freedom of the Borough Panel met on 7 March 2018 to consider nominations for the Freedom of the Borough. The Panel made determinations on a number of the received submissions. It was unable to agree on any nominations to forward for consideration by Council at that time and decided that the nomination period should be extended to encourage further nominations for consideration and a meeting held in April 2018 to deliberate on any new submissions alongside some of the existing submissions. One new submission has been received.

It is for the Panel to now review the nominations and make recommendations (if any) to Council on whether to award the Freedom of the Borough to any of the nominated individuals.

Recommendations:

The Freedom of the Borough Panel is recommended to:

1. Review the nominations received for the Freedom of the Borough and consider whether any should be put forward to an Extraordinary meeting of Council.

1. REASONS FOR THE DECISIONS

- 1.1 This report is presented at the Panel's request to enable consideration of potential candidates for the Freedom of the Borough.

2. ALTERNATIVE OPTIONS

- 2.1 The Panel may choose not to proceed with any of the nominations.

3. DETAILS OF REPORT

- 3.2 It is for the Council to determine which individuals may be deserving of the Freedom of the Borough. Beyond stipulating that they must be persons of distinction and persons who have, in the opinion of the Council, rendered eminent services to Tower Hamlets, the 1972 Act does not provide guidance on this matter and the Council has not previously adopted formal criteria for the award. It should be noted that organisations as well as people can be nominated for the award, for simplicity documents relating to the Panel refer to awards being given to individuals but this should in all cases read 'or organisations'.

- 3.3 However, as the Freedom of the Borough is awarded relatively rarely it should be reserved only for the most exceptional persons, it is suggested that the overriding principle should be merit and that the award should recognise exceptional achievement or service by an individual that has, for example:

- Demonstrated exceptional achievements or service to the community.
- Made a real difference in their field of work or their community.
- Brought distinction to the borough or enhanced its reputation.
- Exemplified sustained and selfless voluntary service.
- Demonstrated innovation or entrepreneurship which has delivered benefits to the Borough.
- Carried the respect of and inspired his/her peers.
- Significantly improved the lot of those who have suffered disadvantage.
- Promoted community cohesion
- Contributed to the borough beyond the call of duty in a way that stands out above others.

- 3.4 The award should not be made solely because a person has performed well in their job or reached a particular level, but rather in recognition of efforts that have gone beyond the call of duty, or achievement that stands head and shoulders above others.

- 3.5 The application form includes space for the person nominating them to set out why they think the candidate should receive the award.

- 3.6 The resolution to award the Freedom will contain the particular grounds on which the Council have come to their decision and details of the public services rendered by the recipient.
- 3.7 The Freedom of the Borough should only be awarded in rare cases to the most exceptional individuals. Whilst it is not proposed to institute a formal limit it is suggested that the Panel would not normally forward more than one/two nominations each year to Council for consideration.
- 3.8 If, having reviewed the nominations, the Panel feels there are some nominees who deserve recognition but are not to be put forward for the Freedom of the Borough, then it could be considered as to whether they should be put forward for a Civic Award instead.
- 3.9 The Panel are reminded that nominations require a two-thirds vote in favour at the Extraordinary Council meeting where they will be considered. It is important to ensure that there is general support for any proposed nominations as controversy or debate on the merits of the award at the Extraordinary Council Meeting would be highly embarrassing to the proposed recipient(s).

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 Section 249(4A) of the 1972 Act empowers 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 upon whom they have conferred the title of honorary alderman or admitted to be an honorary freeman of the [borough].'
- 4.2 Traditionally the Council has presented a sealed and illuminated certificate of the grant of the Honorary Freedom, incorporating a copy of the formal resolution and contained in a suitable casket; and has in all previous cases held a reception in honour of the recipient(s).
- 4.3 The total cost of the presentation and reception is estimated to be in the region of £5,000-£6,000 and will be funded from the existing Democratic Services budget.

5. LEGAL COMMENTS

- 5.1 Section 249(5) of the Local Government Act 1972 permits the Council to admit persons to be honorary freemen or honorary freewomen of Tower Hamlets. The only requirements for persons so admitted is that they be persons of distinction and persons who have, in the opinion of the Council, rendered eminent services to Tower Hamlets.
- 5.2 The decision to admit must be by resolution of the Council at a specially convened meeting for that purpose and must be passed by not less than two-thirds of the members voting at that meeting.

5.3 As there is no specific guidance for admitting Honorary Freeman and Freewomen, the Council can set up its own process for inviting nominations and for their consideration prior to the matter going to an Extraordinary Council meeting to consider resolutions to admit. Council has established a Freedom of the Borough Ad Hoc Panel to *consider proposals that may be made in due course relating to the granting of the Freedom of the Borough, including any nominations for that award, and to make recommendations*. This Panel can therefore determine the process for inviting nominations and for their consideration.

5.4 In consideration this Report and its recommendations, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). There is some information in the report relevant to these considerations in paragraph 6 below.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 It is important that the award of the Freedom of the Borough should reflect the exceptional contribution of the resident(s) to the benefit of all sections of the community within the Borough.

7. BEST VALUE (BV) IMPLICATIONS

7.1 None specific to this report.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 None specific to this report.

9. RISK MANAGEMENT IMPLICATIONS

9.1 None specific to this report.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 None specific to this report.

Linked Reports, Appendices and Background Documents

Linked Report

- Reports to the Freedom of the Borough Panel on 7 March 2017.

Appendices

- Appendix 1 - Nominations for consideration.

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- None.

Officer contact details for documents:

- N/A

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