

Meeting of the

# **FREEDOM OF THE BOROUGH AD HOC PANEL**

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**Wednesday, 9 February 2011**

**The meeting will commence on the rise of the Cabinet  
meeting which starts at 5.30pm**

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## **A G E N D A**

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### **VENUE**

**MEETING ROOM M78, 7TH FLOOR, TOWN HALL, MULBERRY PLACE,  
5 CLOVE CRESCENT, LONDON E14 2BG**

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact: Amanda Thompson, Democratic Services  
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**LONDON BOROUGH OF TOWER HAMLETS**  
**FREEDOM OF THE BOROUGH AD HOC PANEL**

**Wednesday, 9 February 2011**

**Time Not Specified**

**1. APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

**2. DECLARATIONS OF INTEREST (Pages 1 - 2)**

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 REPORTS FOR CONSIDERATION**

**3.1 Honorary Freedom of the Borough (Pages 3 - 6)**

To consider nominations for the award of the Freedom of the Borough.

**4. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT**

**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 REPORTS FOR CONSIDERATION**

**7. ANY OTHER RESTRICTED BUSINESS CONSIDERED TO BE URGENT**

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# Agenda Item 2

## **DECLARATIONS OF INTERESTS - NOTE FROM THE CHIEF EXECUTIVE**

This note is guidance only. Members should consult the Council's Code of Conduct for further details. Note: Only Members can decide if they have an interest therefore they must make their own decision. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending at a meeting.

### **Declaration of interests for Members**

Where Members have a personal interest in any business of the authority as described in paragraph 4 of the Council's Code of Conduct (contained in part 5 of the Council's Constitution) then s/he must disclose this personal interest as in accordance with paragraph 5 of the Code. Members must disclose the existence and nature of the interest at the start of the meeting and certainly no later than the commencement of the item or where the interest becomes apparent.

You have a **personal interest** in any business of your authority where it relates to or is likely to affect:

- (a) An interest that you must **register**
- (b) An interest that is not on the register, but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of your authority more than it would affect the majority of inhabitants of the ward affected by the decision.

Where a personal interest is declared a Member may stay and take part in the debate and decision on that item.

**What constitutes a prejudicial interest?** - Please refer to paragraph 6 of the adopted Code of Conduct.

**Your personal interest will also be a prejudicial interest in a matter if (a), (b) and either (c) or (d) below apply:-**

- (a) A member of the public, who knows the relevant facts, would reasonably think that your personal interests are so significant that it is likely to prejudice your judgment of the public interests; AND
- (b) The matter does not fall within one of the exempt categories of decision listed in paragraph 6.2 of the Code; AND EITHER
- (c) The matter affects your financial position or the financial interest of a body with which you are associated; or
- (d) The matter relates to the determination of a licensing or regulatory application

The key points to remember if you have a prejudicial interest in a matter being discussed at a meeting:-

- i. You must declare that you have a prejudicial interest, and the nature of that interest, as soon as that interest becomes apparent to you; and
- ii. You must leave the room for the duration of consideration and decision on the item and not seek to influence the debate or decision unless (iv) below applies; and

- iii. You must not seek to improperly influence a decision in which you have a prejudicial interest.
- iv. If Members of the public are allowed to speak or make representations at the meeting, give evidence or answer questions about the matter, by statutory right or otherwise (e.g. planning or licensing committees), you can declare your prejudicial interest but make representations. However, you must immediately leave the room once you have finished your representations and answered questions (if any). You cannot remain in the meeting or in the public gallery during the debate or decision on the matter.

# Agenda Item 3a

Committee <b>Freedom of the Borough Ad Hoc Panel</b>	Date <b>9 February 2011</b>	Classification <b>Unrestricted</b>	Report No.	Agenda Item No. <b>3a</b>
Report of:  <b>Service Head, Democratic Services</b>  Originating Officer(s): <b>John S. Williams</b>		Title:  <b>FREEDOM OF THE BOROUGH</b>  Ward(s) affected: <b>All</b>		

**Reason for Urgency:** This report was not available five clear working days before the meeting as required by statute unless there are reasons of urgency. The Chair is asked to agree that urgency does apply in relation to this report because it has been proposed that an Extraordinary Meeting of the Council will be held on 23<sup>rd</sup> February 2011 to consider nomination(s) for the award of Freedom of the Borough and it is necessary first for the Panel to consider any proposals in this regard.

## 1. SUMMARY

- 1.1 The Council is empowered by section 249(5) of the Local Government Act 1972 to admit as Honorary Freemen or Honorary Freewomen of the borough 'persons of distinction and persons who have in the opinion of the Council, rendered eminent services to the borough'.
- 1.2 The Council has established the Freedom of the Borough Ad Hoc Panel to consider any proposals relating to the granting of the Freedom and make recommendations.

## 2. RECOMMENDATIONS

- 2.1 That the Panel considers whether it wishes to co-opt additional non-voting members, as provided for in the Council's constitution, to assist in its deliberations;
- 2.2 That subject to 2.1 above, the Panel considers whether it wishes at this stage to make any recommendations to the Council regarding the award of the Freedom of the Borough; and
- 2.3 If the Panel does wish to make such recommendations, that the Panel resolve to exclude the public and press from the meeting to enable consideration of any individual nominations for the award.

### **3. THE FREEDOM OF THE BOROUGH**

- 3.1 Section 249(5) of the Local Government Act 1972 (as amended) provides for the Council of a London borough to 'admit to be honorary freemen of the [borough], persons of distinction and persons who have, in the opinion of the Council, rendered eminent services to the [borough]'.
- 3.2 The award of the honorary freedom does not in itself confer any rights on the recipient but conferring the title of Honorary Freeman or Honorary Freewoman is the highest honour that a Council of a borough can bestow and as such is given only rarely. In Tower Hamlets, no such award has been made since 1999.

#### **The process for awarding the Freedom of the Borough**

- 3.3 No Council body except the full Council itself may award the Freedom of the Borough and the 1972 Act requires that any decision to do so must be made '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.'
- 3.4 Following recommendations of the Constitution Working Party on the matter in October 2010, the Council has established the Freedom of the Borough Ad Hoc Panel to 'consider any 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'. The Panel has no delegated powers.
- 3.5 The Membership of the Panel as agreed by the Council comprises of 'Members of the Council to include the Chair of Council, the Mayor, any former Civic Mayors or Chairs of Council still serving as Councillors, and at least one representative of each political group on the Council. The Panel may co-opt additional non-voting members including other former Civic Mayors or Chairs of Council, or independent persons drawn from the business, community or public sectors. The Panel shall be chaired by the Chair of Council.'
- 3.6 In accordance with the above the Panel is asked to consider whether it wishes to co-opt any additional non-voting members to assist in its deliberations.
- 3.7 Once the Panel has identified a person or persons it wishes to propose for the award of the Freedom, it would be normal for further consultation to take place within the political groups to confirm that there is full support for the proposal(s) before they are put for formal consideration by the Council, as any controversy or debate on the merits of the award at the Extraordinary Council Meeting would be highly embarrassing to the proposed recipient(s).
- 3.8 Although it is possible for the Council to agree to make an award of the Freedom of the Borough and for the award to be presented at a future date, traditionally the whole process takes place on the same day, with the proposed Freeman/women in attendance at the Extraordinary Council Meeting which resolves to make the award. The presentation of a scroll or other gift marking the



Freedom is made immediately after the passing of the resolution and the meeting would normally be followed by a reception for Members and invited guests in honour of the new Honorary Freeman/women.

### **Criteria**

- 3.9 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 the [borough]' the 1972 Act does not provide guidance on this matter and the Council has not previously adopted formal criteria for the award.
- 3.10 However, as stated above the Freedom of the Borough is awarded relatively rarely and 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 e.g. brought distinction to the borough; enhanced the borough's reputation in the area of activity concerned; tackled disadvantage or promoted community cohesion etc. 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.
- 3.11 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.

### **Current roll of Honorary Freeman/Freewomen of Tower Hamlets since the establishment of the London Borough of Tower Hamlets in 1965**

- 3.12 Charles Blaber J.P (7. 5.1965)  
William Thomas George Guy (7.5.1969)  
Albert William Overland MBE (7.5.1969)  
Frederick George Spearing (3.3.1971)  
William Thomas Tuson (3.3.1971)  
Thomas James Beningfield J.P (21.6.1972)  
Alfred Stocks (7.5.1975)  
Jack Wolkind LL.M (22.10.1975)  
George Mackley Browne (23.11.1977)  
Ernest Walter Hill (23.11.1977)  
Herbert Francis Rackley (23.11.1977)  
Arthur Sidney Dorrell (27.7.1979)  
William Isaac Brinson OBE JP (27.7.1979)  
Edward Patrick Webber (27.7.1979)  
George Henry Wall (28.1.1981)  
The Salvation Army (26.1.1994)  
John Riley (22.4.1995)  
Robert William Ashkettle BEM (11.10.1995)

Albert Charles Jacob (11.10.1995)  
Arthur William Downes (3.7.1996)  
Ashek Ali.Barrister At Law (4.12.1996)  
Rt Hon. The Lord Shore of Stepney (15.2.1999)  
Tassaduq Ahmed (15.2.1999)  
Mildred Gordon (15.2.1999)  
Abdul Gaffar Choudhury (15.2.1999)

#### **4. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 4.1 Section 249(6) 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 would be likely to be in the region of £5-6,000 for which there is currently no budget provision.

#### **5. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)**

- 5.1 The legal requirements and implications of the proposals are contained in the body of the report.

#### **6. IMPLICATIONS FOR ONE TOWER HAMLETS**

- 6.1 The award of the Freedom of the Borough should reflect the exceptional contribution of the recipient(s) to the benefit of all sections of the community within the borough.

#### **7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT (SAGE)**

- 7.1 There are no immediate SAGE implications arising from this report.

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#### **LOCAL GOVERNMENT ACT, 2000 (SECTION 97)**

#### **LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT**

Brief description of "background paper"

Name and telephone number of holder  
and address where open to inspection

Freedom of the Borough File

John S. Williams, 020 7364 4204