


Non-Executive Report of the: Freedom of the Borough Ad Hoc Panel 1 November 2017	 TOWER HAMLETS
Report of: Asmat Hussain, Corporate Director, Governance and Monitoring Officer	Classification: Unrestricted
Determining a Submission Process and Selection Criteria for Nominations for the Freedom of the Borough	

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

Summary

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'.

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.

It is now proposed to begin the process of inviting submissions for consideration of award. However, as the Panel has not met for a number of years, the Panel is being invited to agree a refreshed process for this activity to take place.

Once the Panel agree a process, and nominations are received, the Panel will meet again to review the submitted nominations before forwarding recommendations to Council for consideration.

Recommendations:

The Freedom of the Borough Ad Hoc Panel is recommended to:

1. Agree and/or amend the proposed process for nominations to the Freedom of the Borough.
2. Agree the proposed assessment criteria to be used by the Panel when reviewing nominations.
3. Note and comment on the initial proposals for awarding the Freedom of the Borough, with a final report on that stage of the process due at the next meeting of the Panel for approval.

1. REASONS FOR THE DECISIONS

- 1.1 This report is being submitted as the Freedom of the Borough Ad-Hoc Panel has not met for a number of years and so it is considered appropriate to review the processes agreed for accepting the submission of nominations for the Freedom of the Borough.

2. ALTERNATIVE OPTIONS

- 2.1 The Panel could agree a different procedure for receiving and reviewing nominations for the Freedom of the Borough.
- 2.2 Alternatively the Panel could decide that there is no current requirement to consider nominations and close the process at this time.

3. DETAILS OF REPORT

- 3.1 Section 249(5) of the Local Government Act 1972 provides for the Council of a London borough to admit to be honorary freemen or honorary freewoman of Tower Hamlets, persons of distinction and persons who have, in the opinion of the Council, rendered eminent services to Tower Hamlets.
- 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 the Council 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 The admittance of honorary freemen or women is only exercisable by resolution of the Council and which is via a specially convened meeting for that purpose. Any decision to do so must be made 'by resolution passed by not less than two-thirds of the members voting thereon' at that meeting.
- 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 [Speakers] 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 [Speaker] of Council.'

3.6 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).

3.7 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

3.8 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'.

3.9 However, as 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, 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.

3.10 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 application form will include space for the person nominating them to set out why they think the candidate should receive the award.
- 3.12 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.
- 3.13 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 forward more than one/two nominations each year to Council for consideration.
- 3.14 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.

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

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)

Process for receiving nominations

- 3.15 It is proposed that a notice is placed, for approximately 1 month, on the Council's website and other publications where appropriate inviting nominations. The political groups would also be invited to submit nominations themselves. The Panel may have views on appropriate levels of publicity and should note that some authorities restrict the nominations process, for example by requiring nominations to come only via the political groups. Given that only one or two nominations will be agreed each year there is the potential for disappointing larger numbers of applicants if there are too many nominations so it can be necessary to balance expectations.
- 3.16 A draft nominations form is attached at Appendix A. The draft form sets out the content that will be requested from applicants. Note that the style may change.

Reviewing Nominations

- 3.17 Following receipt of nominations, officers will prepare an information/nominations pack and the Panel will meet to review all nominations received against the criteria set out above. Agreed nominations will then be forwarded to Council for final approval.

Award

- 3.18 Consideration of the nominations by Council must happen at a Special meeting convened specifically for that purpose. It is intended that this meeting would occur on the same night as a regular planned Council meeting, most likely to be the Annual Meeting. A report proposing arrangements for agreeing and presenting the awards, along with information on possible gifts, dinner/receptions etc will be presented for agreement at the next Panel meeting.

Timeline

- 3.19 The current planned timeline therefore looks like the following:
- Panel meets to agree nominations process – 1 November 2017
 - Period for nominations – 4 weeks in late 2017
 - Panel meets to review the received nominations – January/February 2018
 - Consideration by Council and presentation of awards – (on the night of the) Annual Meeting – 23 May 2018.

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

- None.

Appendices

- Appendix 1 – Draft Nominations Form

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.