


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

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NOT FOR PUBLICATION

The appendices to this report are not for publication as they contain exempt information relating to any individual as defined in Paragraph 1 of Schedule 12A of the Local Government Act 1972.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