

Committee Freedom of the Borough Ad Hoc Panel	Date 28 February 2011	Classification Unrestricted	Report No.	Agenda Item No.
Report of: Service Head, Democratic Services		Title: FREEDOM OF THE BOROUGH		
Originating Officer(s): John S. Williams/Amanda Thompson		Ward(s) affected: All		

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 will be necessary to organise an Extraordinary Meeting of the Council to consider nomination(s) for the award of Freedom of the Borough, and allow sufficient time to plan the official awards ceremony if required.

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.
- 1.3 The Panel held its first meeting on 9 February and gave its initial consideration to possible proposals.
- 1.4 The Panel were keen to ensure that all potential nominations for the award are brought forward at the same time before they make any recommendations, and so it was agreed that all Members of the Council would be written to and asked to suggest a person in accordance in accordance with the nomination criteria. A copy of the criteria is appended to this report.

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 in accordance with the nomination criteria; 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.

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.

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

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