

Committee: General Purposes

Date: 12 March 2014

Wards: All

Subject: Freedom of the Borough – proposed criteria and procedures

Lead officer: Julia Regan, Head of Democracy Services

Lead member: Councillor Ian Munn, Chair, Freedom of the Borough Working Group

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Recommendation:

That General Purposes Committee report to Council on 2 April 2014, recommending the adoption of criteria and procedures in relation to nominations for the award of the freedom of the borough. (the proposed criteria are set out in paragraphs 2.7 to 2.10 and proposed procedures are set out in paragraphs 2.12 to 2.16 of this report)

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. At its meeting on 20 November 2013, Council resolved that officers be instructed to report to the General Purposes Committee on future criteria and procedures for considering nominees for the freedom of the borough with a view to Council receiving a recommendation from General Purposes Committee on the adoption of such criteria and procedures.
- 1.2. A small working group comprising five members of General Purposes Committee, the Head of Democracy Services, the Leisure and Culture Development Manager and the Head of Communications was established for the purpose of developing criteria and reporting back to the Committee..
- 1.3. This report sets out the criteria and procedures proposed by the working group.

2 DETAILS

Principles

- 2.1. The working group considered the criteria and procedures adopted by other councils, identified a set of guiding principles for Merton and agreed draft criteria and procedures to recommend to General Purposes Committee.
- 2.2. The working group noted that awards prior to 2013 had been to politicians who had made a substantial contribution to the civic life of the borough. Members agreed that they wished to develop criteria that would acknowledge significant contribution made to other aspects of the borough and those who have brought distinction to the borough.

- 2.3. Members wished to be able to acknowledge sustained commitment but stressed that it would be awarded for exceptional service and not automatically for long service.
- 2.4. The working group discussed how best to ensure that there is a process in place that can be activated when there is a nomination, but that wouldn't create the expectation that nominees would automatically receive the freedom of the borough – members stressed that it is important that the award doesn't become commonplace.
- 2.5. The working group requested that legal advice be provided to general Purposes Committee regarding the advisability of including the criteria and procedures in the Council's constitution.

Criteria

- 2.6. The working group agreed to recommend the following criteria to general Purposes Committee:
- 2.7. Freedom of the Borough is a high honour which should only be awarded in exceptional circumstances where the prospective recipient is an individual or organisation of distinction and has rendered eminent services to the borough.
- 2.8. Candidates should have a strong and continuing connection with and commitment to Merton or have made a major contribution to national life and in doing so have enhanced the reputation of the borough.
- 2.9. Candidates should have made a substantial contribution to the borough in any area of activity, which could include:
 - artistic and cultural endeavours
 - business, economic growth and prosperity
 - charitable work
 - improvement to the built and natural environment
 - religious and spiritual life
 - sports activities
 - civic service
- 2.10. The award may be granted posthumously.

Procedures

- 2.11. The working group agreed to recommend the following procedure to General Purposes Committee:
- 2.12. Nominations for persons or organisations to be granted Freedom of the Borough, may be made by any serving Member of the Council to the Monitoring Officer on the appropriate form. The Member should first raise the matter for discussion within their political group.

- 2.13. Once a nomination is received, the Monitoring Officer will check that sufficient information has been provided on the form and will pass it to the General Purposes Committee for consideration.
- 2.14. The Monitoring Officer will write to all councillors at least once during the four yearly municipal cycle, preferably at or near the midpoint, to draw their attention to the opportunity to make nominations
- 2.15. The General Purposes Committee may establish a small working group to informally assess nominations and the likelihood of meeting the 2/3 criteria. The working group would report back to the General Purposes Committee in regard to any nominee who it believed would meet the criteria and achieve sufficient support at Council.
- 2.16. General Purposes Committee shall report to Council and, should Council accept the nomination, a Special Meeting of Council would then be called to pass the resolution as required by Section 248 of the Local Government Act 1972.
- 2.17. A draft nomination form is appended to this report for consideration by the Committee.

3 ALTERNATIVE OPTIONS

- 3.1. General Purposes Committee may choose to recommend alternative criteria and/or procedures to Council..

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. A request for information on criteria and procedures was placed on the Association of Democratic Services Officers' website. Information was received from three councils and was considered by the working group..

5 TIMETABLE

- 5.1. A report from General Purposes containing recommendations relating to criteria and procedures for awarding the Freedom of the borough will be received at Council's meeting on 2 April 2014..

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

Any expenditure associated with conferring the Honorary Freedom of the Borough will be from existing budgets.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. Section 249 (paragraphs 5 and 6) of the Local Government Act 1972 states:
 - (i) (5) The Council of a London Borough... may, by 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, admit to the borough persons of distinction and persons who have, in the opinion of the council, rendered eminent services to the borough"
 - (ii) (6) The Council of a London Borough... may spend such reasonable sum as they think fit for the 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..

- 7.2. The working group requested that legal advice be provided to the Committee regarding the advisability of including the criteria and procedures in the Council's constitution.
- 7.3. Making the criteria and procedures part of the Constitution does mean they are transparent to the public and easily accessible. If any amendments are required to the processes then, as part of the constitution, this would require the amendments to be presented to Standards Committee, General Purposes Committee and full Council.
- 7.4. If the procedures do not form part of the constitution amendments could be decided without the need to refer them through Standards Committee, this committee and Council. Substantive amendments could be delegated to General Purposes Committee with minor amendments delegated to the Monitoring Officer. As regards transparency, even if the procedures were not made part of the Constitution they could be posted on the website.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. None.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. None.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. None

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

Appendix 1 – draft nomination form

12 BACKGROUND PAPERS

Note of meeting of the Freedom of the Borough Working Group, 6 February 2014

NOMINATION FOR FREEDOM OF THE BOROUGH

1. Name of the person or organisation being nominated for Freedom of the Borough.

2. Freedom of the Borough is a high honour which should only be awarded in exceptional circumstances where the prospective recipient is an individual or organisation of distinction and has rendered eminent services to the borough.

Candidates should have a strong and continuing connection with and commitment to Merton or have made a major contribution to national life and in doing so have enhanced the reputation of the borough.

Candidates should have made a substantial contribution to the borough in any area of activity, which could include:

- artistic and cultural endeavours
- business, economic growth and prosperity
- charitable work
- improvement to the built and natural environment
- religious and spiritual life
- sports activities
- civic service

The award may be granted posthumously.

3. The award of the Freedom of the Borough requires support of 2/3 of Council. Nominations should therefore first be discussed within your political group and, where appropriate, with other group leaders. In your opinion, is the nomination likely to achieve the required 2/3 support at Council?

YES NO

4. Please use the box below to outline your nominee's outstanding achievements in the Borough or on the international stage which have brought pride and satisfaction to the Borough. Continue on a separate sheet if necessary.

5. Nomination submitted by:

Councillor _____ Date _____

Please return this form to The Monitoring Officer, Merton Civic Centre or by e-mail to democratic.services@merton.gov.uk