

Summary Sheet

Committee Name and Date of Committee Meeting

Council – 28 February 2018

Report Title

Adoption of a Protocol for the Award of the Freedom of the Borough

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report Author(s)

James McLaughlin, Democratic Services Manager
01709 822477 or james.mclaughlin@rotherham.gov.uk

Ward(s) Affected

All

Summary

Making an award of the Freedom of Borough is the highest honour that the Council can bestow in recognition of excellence and achievement. There are presently no guidelines or protocols governing the way in which the Council makes such awards. This report proposes the adoption of a protocol which will clarify the nomination process and the way in which the Freedom of the Borough will be awarded in future.

Recommendations

That the protocol for the award of the Freedom of the Borough be adopted.

List of Appendices Included

Appendix A – Nomination Form for the Freedom of the Borough

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

Yes

Exempt from the Press and Public

No

Adoption of a Protocol for the Award of the Freedom of the Borough

1. Recommendations

1.1 That the protocol for the award of the Freedom of the Borough be adopted.

2. Background

2.1 The conferment of the Honorary Freedom of a borough or city has been established since 1885 as the highest honour which the local authority can bestow. To be granted the title of Honorary Freeman is a mark of distinction upon the person whom the Council wishes to honour. The Freedom itself carries no privilege and is purely an honour, reflecting the eminence of the person on whom it is conferred or as recognition of significant and valuable services rendered to the borough by that person.

2.2 It is normally an honour or award to men or women of note who have lived or worked in the borough, and who are proud to be a part of the borough's history by becoming freemen or in the case of HM Services Units, Freedom of the Borough. It should not be awarded to serving councillors.

2.3 The overriding principle is that these awards should be made on merit, defined as:

- Achievement
- Exceptional Service

2.4 Awards should not be for a job well done or because someone has reached a particular level. They should be awarded because an individual has 'gone the extra mile' in the contribution they have made or stand out 'head and shoulders' above others in what has been achieved. To be considered, other authorities have determined that a nominee should meet at least two of the following criteria:

- delivered in a way that has brought distinction to borough life and enhanced the borough's reputation in the area or activity concerned
- contributed in a way to improve the lives of those less able to help themselves
- demonstrated innovation and entrepreneurship which is delivering results in the borough

2.5 As this is the highest honour that a borough council can grant it should be used sparingly and should not be given too often in order to preserve its status and value.

2.6 The title of Honorary Freeman does not give any rights but it is hoped that person would support the Office of Mayor at civic functions.

2.7 The awarding of the Freedom of the Borough to Service Units has generally provided a dignified and satisfactory means of enabling a city or borough to honour a distinguished unit of the Armed Forces.

3. Key Issues

3.1 There is presently no adopted process in Rotherham for the award of Freedom of the Borough. Practice in other authorities is that the recommendation to confer the status of Freeman should be made by Group Leaders and the Mayor, following nomination by any elected member.

3.2 In order for candidates to be considered in other authorities, they must be able to demonstrate a strong and continuing connection with, and commitment to, the borough or have made a major contribution to national life and in doing so, have enhanced the reputation of the borough. Other authorities have determined the following as being areas in which contributions may have enhanced the area:-

- 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

3.3 It is recommended that the Council adopts the following criteria to be used in determining nominations for the award of Freedom of the Borough:

A nominee must have:

- delivered in a way that has brought distinction to borough life and enhanced the borough's reputation in the area or activity concerned
- contributed in a way to improve the lives of those less able to help themselves
- demonstrated innovation and entrepreneurship which is delivering results in the borough

3.4 As part of the overall improvements the Council is making to its governance and oversight arrangements, it is recommended that consideration be given to the adoption of a protocol in respect of the award of the Freedom of the Borough, which should be based on the above criteria being met.

4. Options considered and recommended proposal

4.1 The current practice of awarding the Freedom of the Borough without guiding principles or oversight prior to a decision is not recommended.

4.2 It is recommended that the Council agree a process for nominations and the ceremony to make the award of Freedom of the Borough, as set out below:-

Nomination Process

4.2.1 Nominations for persons or organisations to be granted Freedom of the Borough, may be made by any serving Member of the Council to the Chief Executive on the appropriate form (see Appendix A).

- 4.2.2 Each nomination must contain the support of at least 10 Members of the Council and where appropriate, the Member should first raise the matter for discussion within their political group.
- 4.2.3 The Chief Executive will check that sufficient information has been provided on the form and will then pass the nomination to the Group Leaders for consideration.
- 4.2.4 The Group Leaders and the Mayor will meet to consider the nomination against the criteria. Following unanimous agreement they will make a recommendation to Council that the honour is bestowed. Alternatively they may decide that the nomination is not suitable as it does not meet the criteria. The Leader shall report to Council and, should Council accept the nomination, a Special Meeting of Council would then be called to pass the resolution pursuant to Section 249 of the Local Government Act 1972, for the admission as Honorary Freemen of the Borough of the relevant persons.
- 4.2.5 Where a nomination is not agreed, the reasons for not progressing the nomination will be provided by the Chief Executive to the nominating councillors. In such circumstances, further nominations for an individual will not be considered for a further twelve months.

Ceremonial Process

- 4.2.6 The ceremony for the admitting of an Honorary Freeman is to be a very formal occasion. Section 249 of the Local Government Act 1972 (sub section 5) deals with the admission to the Freedom of the Borough by Borough or City Councils of 'persons of distinction and persons who have in the opinion of the Council, rendered eminent services to the Borough'.
- 4.2.7 The Act provides that a special meeting of the Council (made public five days prior to the meeting) must be convened with the specific object of passing the resolution to Honorary Freedom - one of the highest honours that the Borough Council can bestow. This will take place on the same date as the Annual Council meeting, when possible.
- 4.2.8 The resolution should recite the grounds upon which the recommendation is being made, and details of the public services rendered by the recipient should be included. The resolution must be passed by not less than two thirds of the Members present.
- 4.2.9 The procedure should be carried out with the utmost formality and the Honorary Freeman or Freewoman Elect is invited and should attend the Council Meeting and be placed on the right hand of the Mayor. After the passing of the resolution, the newly admitted Freeman (or representative of the organisation being admitted) should take the appropriate Freeman or Freewoman's Oath and sign the Roll, his/her signature being witnessed by the Mayor and the Chief Executive or nominated Officer.

4.2.10 A sealed and illuminated certificate of the grant of Honorary Freedom, containing a copy of the formal resolution, should then be presented to the newly appointed Honorary Freeman or Freewoman by the Mayor with a Freedom of the Borough medal, with an opportunity being given for the recipient to reply.

4.2.11 After the formal proceedings come to an end, it is usual to close the meeting and adjourn for a reception. This gives an opportunity for the invited guests to offer their congratulations to the newly appointed Honorary Freeman or Freewoman.

Revocation of Freedom of the Borough

4.2.12 The Council retains the authority to revoke any award of the Freedom of the Borough at any stage following the conferment of the honour. In doing so, the Council will pass a resolution to revoke the status as Freeman or Freewoman of the Borough.

4.2.13 In revoking the status of Freeman or Freewoman, the Council will remove the individual(s) from the role of honour in the Town Hall.

5. Timetable and Accountability for Implementing this Decision

5.1 If Council were minded to approve the proposals within this report, they would take immediate effect.

5.2 The Chief Executive and Democratic Services Manager will be accountable for the implementation of the decision. Following approval, the means for nominating individuals for the award of the Freedom of the Borough will be communicated to Members and advice on the process will be provided by Democratic Services.

6. Financial and Procurement Implications

6.1 Whilst there are no direct financial or procurement implications associated with the establishment of a protocol governing the award of the Freedom of the Borough, there are inevitably one-off costs at the time that the Council determines that it wishes to make an award.

6.2 Historically in Rotherham, Freedom of the Borough ceremonies have cost approximately £5,000. These costs have come primarily from the purchase of a vellum scroll awarding the Freedom of the Borough and for catering. There are opportunities to reduce these costs by combining Freedom of the Borough ceremonies with other civic events, such as the Annual Meeting of the Council, and by following alternative approaches to making the formal award of the Freedom of the Borough through a vellum scroll.

7. Legal Implications

7.1 The statutory provisions in respect of the award of the Freedom of the Borough are outlined in the main body of this report.

8. Human Resources Implications

- 8.1 Whilst there are implications for staff in preparing for a Freedom of the Borough ceremony, these are accounted for in the staffing resource requirement for Democratic Services.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 There are no implications for children and young people or vulnerable adults associated with this report.

10. Equalities and Human Rights Implications

- 10.1 There are no equalities or human rights implications directly associated with this report.

11. Implications for Partners and Other Directorates

- 11.1 There are no implications for partners and other directorates.

12. Risks and Mitigation

- 12.1 The recommended adoption of a protocol to govern the award of the Freedom of the Borough is in itself a mitigation to the risks associated with having no guidance or criteria on the process at the present time.

13. Accountable Officer(s)

Sharon Kemp, Chief Executive
James McLaughlin, Democratic Services Manager

Approvals obtained on behalf of:-

	Named Officer	Date
Strategic Director of Finance & Customer Services		
Assistant Director of Legal Services		
Head of Procurement (if appropriate)		
Head of Human Resources (if appropriate)		

*Report Author: James McLaughlin, Democratic Services Manager
01709 822477 or james.mclaughlin@rotherham.gov.uk*

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<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

APPENDIX A



NOMINATION FORM FOR FREEDOM OF THE BOROUGH

I, Councillor _____
wish to nominate the following person (organisation) to be considered for the status
of Freedom of the Metropolitan Borough of Rotherham.

Nominee _____

I am aware that the following criteria needs to be applied to the achievements of the
nominee. They have:

- delivered in a way that has brought distinction to borough life and enhanced the borough's reputation in the area or activity concerned
- contributed in a way to improve the lives of those less able to help themselves
- demonstrated innovation and entrepreneurship which is delivering results in the borough.

I believe that they have met these criteria in the following way:

Please continue overleaf or attach supporting evidence.

We the undersigned Councillors support this nomination for Freedom of the Borough:

NAME: SIGNATURE:	NAME: SIGNATURE:
NAME: SIGNATURE:	NAME: SIGNATURE:
NAME: SIGNATURE:	NAME: SIGNATURE:
NAME: SIGNATURE:	NAME: SIGNATURE:
NAME: SIGNATURE:	NAME: SIGNATURE: