

REPORT TO Executive

Date of Meeting: 10 April 2018

Report of: Corporate Manager, Democratic & Civic Support

Title: FREEDOM OF THE CITY PROCEDURES

Is this a Key Decision?

No

Is this an Executive or Council Function?

Executive

1.1 What is the report about?

- 1.1 This report seeks approval to introduce a more rigid assessment process for the consideration of any nominations made for Freedom of the City
- 1.2 This report was previously presented to, and deferred by the Executive on 13th March 2018, pending further information relating to data protection.

2. Recommendation:

- 2.1 That a Freedom of the City Assessment Panel be established, to consider all nominations received for Freedom of the City, with its membership being as follows:-
 - The Leader of the Council (or nominee)
 - The Leader(s) of other political groups on the Council (or nominee(s))
 - The Chief Executive & Growth Director (or nominee from the Strategic Management Board)
 - The Corporate Manager, Democratic & Civic Support
 - An external representative
- 2.2 That only written nominations on the council's approved application form will be accepted for consideration by the panel. No other method be accepted for the submission of nominations for Freedom of the City

3. Reasons for the recommendation:

- 3.1 Following the Council's recent consideration of a number of nominations for Freedom of the City, it is suggested that a more transparent approach to the consideration of these nominations, before submission to full Council, be established.
- 3.2 Following the Council's consideration, and ultimate rejection, of the nomination of Freedom of the City for the emergency services, which was received via a Notice of Motion, it is considered appropriate for there to be only one way in which such nominations should be received

4. What are the resource implications including non financial resources.

- 4.1 None.

5. Section 151 Officer comments:

- 5.1 This report has no financial implications.

6. What are the legal aspects?

- 6.1 Section 249 of the Local Government Act 1972, gives Councils the power to grant "Freedom of the City" to any individual who it feels has given eminent service to the City.
- 6.2 Under this legislation, any decision to grant the Freedom of the City has to be taken by an Extraordinary meeting of the full Council with two thirds of those present at the meeting, voting in favour. The proposals contained in this report will not change this.

7. Monitoring Officer's comments:

- 7.1 This report raises no issues for the Monitoring Officer.

8. Report details:

- 8.1 The Council at its meeting on 24 February 2015, agreed the recommendation of the Executive for the establishment of criteria against which future nominations for Freedom of the City could be judged. This report is attached for ease of reference as Appendix A.
- 8.2 Since that time, a number of nominations have been received and considered against these criteria, with the majority progressing to Executive and Council for approval.
- 8.3 However, there have been several which did not progress past the initial stage of consideration by the Group Leaders and Chief Executive & Growth Director. Whilst these nominations may have been considered to meet some of the set criteria, it was felt that it would, at that time, be inappropriate to progress the nomination.
- 8.4 Whilst it could be considered that this should have been the end of the matter at that time, the proposer for one of the unsuccessful nominees has continued to provide further supporting evidence for their nomination. They have also questioned why their nomination had been unsuccessful when their nominee (in their opinion) had met many of the set criteria against which nominations should be judged.
- 8.5 A further unsuccessful proposer used a different Council methodology (via a Notice of Motion to full Council) to put forward their nomination. Whilst it was quite permissible for such a matter to be the subject of a notice of motion, several speakers at the Council meeting at which this matter was discussed, felt that it was inappropriate due to refusal of the nomination via the previously agreed channel.
- 8.6 This report is therefore put forward to try to enhance the procedure used for the consideration of nominations by broadening the initial consideration stage, and therefore following a similar route to that used by the Cabinet Office for consideration of nominations for a UK national honour.
- 8.7 It is therefore suggested that an Assessment Panel comprising the following representatives, be established who would consider all nominations received:-
 - The Leader of the Council (or nominee)
 - The Leader(s) of other political groups on the Council (or nominee(s))

- The Chief Executive & Growth Director (or nominee from the Strategic Management Board)
- The Corporate Manager, Democratic & Civic Support
- An external representative

8.8 It is suggested that in respect of the external representative, a recruitment process be entered into in an attempt to find someone who has a detailed knowledge of the City, so that they can assist the other Panel members best understand the context and extent of the work undertaken by those nominated.

8.9 It is also suggested that the previously agreed proposal that nominations should be submitted on an application form, should be reinforced as the most appropriate way forward, and that the application form should tease as much information as possible out of the proposer against the agreed criteria.

8.10 It is proposed that the Panel's decision on nominations is final. If a nominee is unsuccessful, the proposer can resubmit their nomination at some later date but only if their nominee has had additional achievements.

8.11 Finally, it is recommended that this be the only way in which the Council will accept nominations for Freedom of the City (i.e. through the application form and Panel consideration process).

8.12 Members are reminded that it is a full Council function to agree to offer the Freedom of the City. This is done via an Extraordinary meeting where two thirds of those Members present need to vote in favour of the nomination. The process proposed in this report is to enhance the current process, and will not replace the legal basis for consideration of nominations.

8.13 This matter was brought to the Executive meeting on 13th March 2018, when it was deferred for further information to be obtained regarding any possible disclosure of personal data relating to nominees.

8.14 Officers have received confirmation that should a nomination be refused, and an application be subsequently made under the Freedom of Information regulations for a list of such nominees, the name of the unsuccessful nominee would be withheld due to it being classified as personal data.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 This decision will help promote the City as one which promotes transparency in its decision making process

10. What risks are there and how can they be reduced?

10.1 There are no risks associated with the proposals

11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

11.1 None applicable with this decision

12. Are there any other options?

12.1 To continue with the current process despite the issues which have been addressed in this report..

John Street
Corporate Manager, Democratic & Civic Support

Local Government (Access to Information) Act 1972 (as amended)
Background papers used in compiling this report:-

Contact for enquires:
Democratic Services (Committees)
Room 2.3
01392 265275