



## Protocol for determining whether the Freedom of the Borough should be conferred

### 1.0 Introduction

Section 249 of the Local Government Act 1972 empowers a local authority to confer the “Freedom of the Borough” to persons of distinction, who have in the opinion of the Council, rendered eminent services to the Borough.

1.1 The Freedom of the Borough is the highest honour that the Council can grant. It will only be used sparingly and awarded on merit to exceptional persons. It should not be given too often. The overriding principle **must be** that this award should be made on merit, defined as:

- Achievement
- Exceptional Service

1.2 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.

### 2.0 Background

2.1 It is important that, if a nomination to confer an Honorary Freedom is to be considered, that all Members of the Council will be in possession of sufficient facts in order to make a decision as to whether the honour should be conferred. Furthermore, there may be instances where there are strongly held views for and against and these need to be addressed as far as possible in advance of an Extraordinary Council meeting called for the purpose. The Council will want to meet with the clear consensus that the person of distinction is to be honoured and not humiliated by the proceedings. A unanimous decision is desirable, but the absence of unanimity cannot prevent the nomination coming forward for consideration by the Council.

2.2 To be granted, the title of Honorary Freeman/woman is a mark of distinction upon the person whom the Council wishes to honour. Conferring the Freedom of the Borough does not grant the title holder any privileges, legal rights or responsibilities. For example they have no rights to attend Council or Committee meetings, nor can they be paid an allowance. However, it does maintain a symbolic connection with the Council and it is hoped that those who are awarded this honour will support the Office of the Civic Mayor at civic events and functions.

### **3.0 Criteria for conferring the Freedom of the Borough**

3.1 It is in the interests of transparency and public confidence that the Council adopts clear criteria for conferring the Freedom of the Borough. It is proposed that one or more of the following are used as the criteria for the award: The person has

- demonstrated exceptional achievement or service to the community which is outstanding in its field;
- made a real difference in their field of work or their community;
- brought distinction to the Borough or enhanced its reputation;
- given outstanding military service;
- demonstrated innovation, entrepreneurship or exceptional business acumen which has delivered benefits to the Borough;
- evidenced exceptional charitable service to the Borough, though either a national or locally based charity;
- evidenced exceptional voluntary service to the Borough or any part of it or community within it;
- carried the respect of and inspired his/her peers;
- significantly improved the lot of those less able to help themselves or suffering disadvantage;
- promoted community cohesion;
- displayed moral courage and vision in making and delivering tough choices;
- contributed to the Borough beyond the call of duty in a way that stands out above others.

3.2 Only in exceptional circumstances should consideration be given to the admission of organisations.

3.3 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.

3.4 The awarding of the Freedom of the Borough to Service Units “to march through the streets of the Borough with bayonets fixed, drums beating and Colours flying” is really an empty grant. The practice has been generally accepted and provides a dignified and satisfactory means of enabling a Borough to honour a distinguished unit of Her Majesty’s forces.

### **4.0 Procedure to be adopted on receipt of a Motion to confer the Freedom of the Borough**

4.1 Nominations for persons or organisations to be granted the Freedom of the Borough, may be made by any Elected Member to the Director: Law and Governance and Monitoring Officer on the appropriate form (see appendix A). Each nomination must contain the support of the Elected Member’s Group Leader and where appropriate, the Member should first raise the matter for discussion within their Political Group. An Elected Member who is not a member of a Political Group must have the support of at least one of the Political Group Leaders.

4.2 The Director: Law and Governance and Monitoring Officer will write to all Elected Members once during the Municipal year, to draw their attention to the opportunity to make nominations.

- 4.3 On receipt of the Nomination form the Director: Law and Governance and Monitoring Officer will ensure that sufficient information has been provided on the form. Full reasons why the person should be considered must be included:
- a person of distinction; or
  - a person who has rendered eminent services to the Borough.
- 4.4 **The Freedom Panel** - When in possession of sufficient information, the Director: Law and Governance and Monitoring Officer will convene a Panel of each of the Leaders of the Political Groups on the Council (Deputy Leaders can substitute if their Leader is unable to attend), with relevant officers (The Freedom Panel) to consider:
- whether they have sufficient information on which to form a view and, if not, to instruct officers to seek further information;
  - once satisfied that they have adequate information, whether there is sufficient support for the matter to go on to the Council for decision.
- 4.5 In the event that the Freedom Panel concludes that it is unlikely that the nomination will receive sufficient support, the Director: Law and Governance and Monitoring Officer will advise the Elected Member who made the nomination of this conclusion and the reasons for reaching it. The Elected Member will then be given the opportunity to withdraw his/her nomination, although the Member will still be entitled to have his/her nomination considered by the Council.
- 4.6 **Extraordinary Council Meeting** - Should the Freedom Panel conclude that it is likely that there will be a two thirds majority voting in favour of the nomination, the Director: Law and Governance and Monitoring Officer will convene an Extraordinary meeting of the Council specifically for the consideration of the one item of business. The timing of the meeting will be such as, so far as it practicable, to meet the availability of the individual concerned to attend and to concord with the Council's diary commitments.
- 4.7 The subject of the nomination will be invited to attend the Extraordinary meeting of the Council where the nomination is to be considered.
- 4.8 At the Extraordinary meeting of the Council, there will be only the one item of business and Director: Law and Governance and Monitoring Officer will submit a report setting out the matters considered by the Freedom Panel and the recommendation of the Panel to Council to approve the nomination.
- 4.9 The resolution should recite the grounds upon which the recommendation is being made, and details of the public services rendered by the nominee should be included.
- 4.10 The Civic Mayor will take a vote on the recommendation of the Freedom Panel and a two-thirds majority of those present and voting is required.
- (Note: abstentions do not count as a vote and the required majority will be deduced from the number of Members actually voting on the item).
- 4.11 The Mayor will then immediately close the meeting.

## **5.0 The Ceremony**

- 5.1 Arrangements for the ceremonial award of the Freedom Scroll will be made by the Committee and Civic Services Manager after liaising with the Civic Mayor, Political Group Leaders and the individual concerned. This can be done at either at the Extraordinary Council meeting and be followed by a Civic reception or at a Civic reception at a later date arranged specifically for that purpose.
- 5.2 The new Freeman/woman's name will be added to the Freedom Roll that hangs on the wall in the foyer of Wallasey Town Hall.