

Report to: **Scrutiny Committee**



Date of Meeting 03/03/22

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

The Appointment of Honorary Aldermen

Report summary:

To report back to Scrutiny following the Committees consideration at its meeting on the 2nd December 2021

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That the Committee considers this report and makes such recommendations as it considers appropriate to Cabinet and Council

Reason for recommendation:

To provide clarity on any future decisions concerning the appointment of Honorary Aldermen

Officer: Mark Williams CEO

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information [Printed minutes 02nd-Dec-2021 18.00 Scrutiny Committee.pdf \(eastdevon.gov.uk\)](#)

Link to

Priorities (check which apply)

- Better Homes and Communities for all
 - Greener East Devon
 - A resilient Economy
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Report in full

At its meeting on the 2nd December 2021 the Committee requested a report addressing the following:

1. How Honorary Aldermen and Honorary Alderwomen have been selected in the past, what criteria were used and on whose recommendation
 - 1.1. The Council's convention has been that Group leaders and/or other interested Members have put forward suggestions to the Democratic Services Manager (on behalf of the CEO) as to who could be nominated for conferment of the title of Honorary Alderman. Until the last elections in 2019, this had taken place immediately prior to the Annual Council meeting. An Extraordinary meeting of Full Council (a specially convened meeting) was called separately to, but usually on the day of the Annual Council meeting.
 - 1.2. Once a Group Leader or Cllr nominating an individual for the title has provided information to support their nomination, a report of all the nominations received with the evidence as to why the title should be conferred is collated and sent to all Group leaders for consideration. They will discuss all of the nominations and then convey their respective views about whether the title should be conferred or not at this point in order to reach collective agreement and the nominees are then contacted.
 - 1.3. Following a response from Group leaders, the individual nominees are contacted and invited to the relevant and Extra-ordinary meeting.
 - 1.4. At the meeting itself, the Chair and Vice Chair of Council will say a few words about the individuals nominated for the title, before inviting the nominees to say a few words to Council Members in attendance in response, receive a certificate and then return to their seat at the meeting.
 - 1.5. The Local Government Act confirms that Honorary Alderman are invited to Council meetings and civic events. In addition the Council provides each Honorary Alderman with a free car parking permit for use in the Council's car parks.
2. What does eminent or meritorious conduct include?
 - 2.1. Section 249 of the Local Government Act 1972 provides (inter alia) that a 'principal council may, 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...confer the title of honorary aldermen on persons who have, in the opinion of the council, rendered eminent services to the council as past members of that council, but who are not then councillors of the council'.
 - 2.2. It can be seen from this definition that the word 'meritorious' is not used in the statute. The test for the decision-makers is whether the persons proposed have 'rendered eminent services to the council as past members'.

2.3. The word 'eminent' is variously defined but in the Cambridge English Dictionary it is defined as 'famous, respected or important'. It follows from this that there is a degree of discretion on the part of the decision maker but, essentially, when Cllrs meet to decide on the proposal they should be satisfying themselves that the nominees have provided important services to the Council and are consequently respected by their former colleagues/present Cllrs.

3. A breakdown by party and qualification of those who have received the honour in the past twelve years

3.1. There is attached to this report at Appendices 1 to 6 copies of relevant reports or minutes from Extraordinary Meetings of the Council on 16 July 2003, 18 July 2007, 27 July 2011, 29 July 2015, 17 May 2017 & 18 December 2019.

3.2. From these it can be seen that 42 Aldermen have been appointed during that 18 year period and the political breakdown (reflecting the political make-up of the Council over that period) was:

Conservative – 30

Liberal/Liberal Democrat – 8

Independent – 4

4. Options for the future, including processes for granting and removal of the honour

4.1. In terms of future practice the following are suggested as relevant considerations for future granting of the honour:

- a) Whether to recommend that no future Honorary Aldermen should be appointed
- b) How nominations should be proposed? Should it remain as present (primarily Group Leaders) or should it be via a nominated panel of members who should carry out an assessment of all nominations in accordance with a published protocol?
- c) Should there be a minimum period of service before a nomination can be considered? Some Councils now refer to 8 years (2 terms), perhaps reflecting local political realities whereas others have traditionally referenced longer periods.
- d) How should 'eminent services to the Council' be locally defined? Hitherto, the Council has not restricted it to those who have held positions of authority within the Council which has meant that long serving and valued members of the Council have been proposed notwithstanding that they have not been members of the controlling group or otherwise been appointed to positions of authority.
- e) Should the Council continue with its practice of supplementing the statutory entitlement of Honorary Alderman being invited to Council meetings and civic events?
- f) Are there any other relevant matters that members of the Committee consider should form part of a published protocol?

4.2. Although the Local Government Act appears to be silent on the issue of removal of the honour, my advice would be that this can and should happen in exceptional circumstances where, in the opinion of the Council, there is evidence to suggest that the Honorary Alderman has brought the reputation of the Council into disrepute. Removal of the title of Honorary Alderman should follow the same process as appointment, in terms of a resolution being passed by two thirds of those present at a meeting.

5. Referenced examples of protocols from other areas

5.1 See attached Appendices 7 (Maidstone), 8 (Wokingham) and 9 (Bristol) which provide a selection of the types of consideration and practice that other Councils have published as part of their criteria for the appointment of Honorary Alderman.

Financial implications:

None

Legal implications:

As set out in the report