



Council 5 October 2015

Protocol for the Appointment of Honorary Aldermen

Purpose of report

To consider the approval and adoption of a protocol for the appointment of Honorary Aldermen for the district of East Northamptonshire.

Attachments:

Appendix 1 - Protocol for the Appointment of Honorary Aldermen for the District of East Northamptonshire

1.0 Background

- 1.1 Under Section 249 of the Local Government Act 1972, the council may “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.” Despite this legislative provision of over forty years, East Northamptonshire has never previously exercised this power.
- 1.2 An Honorary Alderman would be entitled to attend and take part in such civic ceremonies as the council may from time to time decide, but would have no right (in that capacity) to take part in meetings of the council or its committees and sub-committees, or to receive any allowances.
- 1.3 The title can only be conferred upon past members of the council (or its predecessors) who are not Members on the date of the meeting that appoints them as Aldermen. Such a decision must be made by a resolution passed by not less than two-thirds of the members voting thereon at an extraordinary meeting of the Council.
- 1.4 This report provides more information and proposes criteria considered to be relevant in determining whether the council should adopt the practice of recognising eminent service by appointing Honorary Aldermen.

2.0 Appointment of Honorary Aldermen

- 2.1 If the council is minded to adopt the practice of appointing Honorary Aldermen, and that status is to have some scarcity value, it might be wise to adopt some indicative numbers and agree a procedure for their selection and appointment. Although Section 249(1) of the Local Government Act 1972 is the source of the authority the council acts on, the phrase “eminent services” is not explained or expanded upon.
- 2.2 Most councils that have adopted the practice of appointing Honorary Aldermen do so on a strictly limited basis to recognise the exceptional service of people who have reached the end of their political careers. Generally former councillors are not nominated if it is likely that they will wish to stand again for the council or to remain very active participants in party politics, in a high profile way.
- 2.3 It is proposed that the council establishes a protocol to ensure consistency of approach to the conferment of the legal title of “Honorary Alderman of the District of East Northamptonshire” as set out in Appendix 1.

3.0 Equality and Diversity Implications

3.1 There are no equality and diversity implications arising from the proposal.

4.0 Legal Implications

4.1 As noted throughout the report, the legal basis for the proposal is section 249 of the Local Government Act 1972. Beyond the council acting reasonably in applying such provisions, there are no legal implications arising from the proposal.

5.0 Risk Management

5.1 There are no risks associated with the adoption of a protocol or criteria for the appointment of Honorary Aldermen.

6.0 Resource and Financial Implications

6.1 Unlike city and borough councils, this authority has no specific statutory duty to incur expenditure in relation to the appointment of Honorary Aldermen. There may be a small financial implication in the event of the Council determining to appoint Honorary Aldermen and hosting a small reception after the extraordinary council meeting that confirms their appointment. However, any costs incurred can be met within existing budgets.

7.0 Constitutional Implications

7.1 It is recommended that any protocol or criteria for the appointment of Honorary Aldermen be included within the council's constitution and authority should be delegated to the Monitoring Officer to incorporate such provisions in the event of them being agreed by the Council.

8.0 Corporate Outcomes

8.1 The proposal within this report does not directly contribute to any of the corporate outcomes identified within the Corporate Plan.

9.0 Recommendations

9.1 That the protocol attached at Appendix 1 to the report in respect of the appointment of Honorary Aldermen be approved

(Reason – To comply with the provisions of Section 249 of the Local Government Act 1972 in appointing Honorary Aldermen).

9.2 That, subject to the recommendation at paragraph 9.1 being agreed, authority be delegated to the Monitoring Officer to include the Protocol for the Appointment of Honorary Aldermen as part of the Constitution.

(Reason – To ensure that the Constitution reflects the agreed protocol).

egal	Power: Local Government Act 1972				
	Other considerations:				
Background Papers: N/A					
Person Originating Report: James McLaughlin, Democratic and Electoral Services Manager ☎ 01832 74(2113) ✉ jmclaughlin@east-northamptonshire.gov.uk					
Date: 17 September 2015					
CFO		MO		CX	

PROTOCOL FOR THE APPOINTMENT OF HONORARY ALDERMEN FOR THE DISTRICT OF EAST NORTHAMPTONSHIRE

This protocol has been prepared to assist the council in determining applications for nominees to be conferred the legal honorary title of Alderman of East Northamptonshire. Whilst it is a matter for council to determine such applications, advice should be sought from the Monitoring Officer in the interpretation of this protocol.

1.0 Nominations

- 1.1 Nominations shall be made in writing by a serving member of the council, seconded by a further serving member, setting out the reasons why it is considered that the nominee has 'rendered eminent services to the council'. Such nominations shall be addressed to the Chief Executive. It is anticipated that such nominations will usually be made in the first year of the electoral cycle.

2.0 Consultation

- 2.1 On receipt of such a nomination, the Chief Executive will consult with the Leader of the Council, the leaders of the other political groups on the council and the Monitoring Officer.

3.0 Convening an extraordinary meeting

- 3.1 If, in the opinion of the Chief Executive (after consultation with the Leader of the Council and other political group leaders), there is a sufficient degree of support as to the conferment of the legal title, then the Chief Executive will requisition an Extraordinary Meeting of the council to consider conferment of the legal title.

4.0 What constitutes 'eminent services to the council'

- 4.1 As the term is not defined in the Act and there is no statutory guidance in determining what it might mean, it is a matter for the council to determine locally what constitutes 'eminent services to the council'. This is the sole legal criterion for appointment.
- 4.2 'Eminent' has a dictionary meaning which includes 'highly regarded' and 'distinguished'. 'Eminent services' connotes making a positive difference or impact over and above carrying out normal council duties to a basic or acceptable standard i.e. being 'distinguished' for proper reasons and in the service of the council.
- 4.3 The legislation therefore deliberately fails to give a national definition and leaves it for local decision by councillors and an exercise of discretion at the time a decision is called for, based 'on the opinion of the council', with such power being properly exercised. It is thus determined by 'quality', not necessarily 'quantity'.
- 4.4 In reality the bestowal of the honorary legal title of 'alderman' is by way of a distinguished service award and is not:

- A long-service award
- A party political honour
- An award for having held or holding senior positions, such as Chairman or Leader of the Council

The questions to be answered are:

- 'What services did the person provide as a councillor to the council, during whatever time they served?
- Were those services, in the opinion of the council, 'eminent services'?

4.5 Each application will therefore be determined on its merits, purely assessed against that sole criterion of having rendered 'eminent services to the council'.

(NB. It is made clear under this protocol examples of what are not criteria such as:-

- Length of service – Whilst a number of councils do in fact use 'length of service' (such as, for example, 12 years or 15 years) by itself as a good enough measure of the 'eminent service', this is patently wrong. It is self-evidently the case that there will be members who serve out their time in public service in a perfectly satisfactory manner without being 'eminent'. This is not the criterion stated in the Act and it does nothing to enhance public confidence in local government or democracy. More fundamentally, a 'length of service' criterion of itself is unlawful, as it fetters the council's discretion when determining 'eminent services to the council.'
- Service to a political party or group – the criterion is not support for a particular political party or group. It is 'eminent service to the council' which means that any past political differences should be ignored in making an assessment of a past or present councillor's service contribution to the council.
- Senior positions – the mere fact that a councillor held or holds a senior position or positions is not evidence of the provision of eminent services to the council. This would be to confuse 'appointment' to a position with 'outcome'. It is not a senior appointment reward.

5.0 Resolution and Implementation

5.1 The award of Honorary Alderman shall take place during an extraordinary meeting of the Council, called for this specific purpose. During the meeting a Notice of Motion will be put forward to confer the title of Honorary Alderman on the Nominee(s) to recognise their services to the Council. The Motion shall be seconded

5.2 For a person to be appointed, the council must form the opinion that the nominated person has 'rendered eminent services to the council' and pass the resolution to appoint the named person by at least two-thirds of members present and voting at the extraordinary meeting.

5.3 If the Resolution is passed, those being awarded the title of Honorary Aldermen will be presented with:

i) A 'Certificate of Conferral of the Status of Honorary Alderman' which will carry the Council's Coat of Arms and the Common Seal of the Council, witnessed by the Chairman and the Chief Executive.

ii) A Badge of Office, incorporating the Coat of Arms on a blue ribbon. The lettering on the title will say 'Honorary Alderman'. The badge will be presented in an official presentation box.

6.0 Role

6.1 An Honorary Alderman shall be entitled to attend and take part in such civic ceremonies as the council may from time to time decide, but would have no right (in that capacity) to take part in meetings of the council or its committees and sub-committees, or to receive any allowances.

6.2 Honorary Aldermen are entitled to wear the badge of 'Honorary Alderman' at Civic events within the borough.

6.3 The badge of Honorary Alderman must only be worn at civic events outside the District at the specific request of the organisers of the event.

6.4 Those elected to the Roll of Honorary Alderman are entitled to use the title of 'Honorary Alderman of East Northamptonshire'