

Item No. 2	Classification: Open	Date: 16 March 2016	Meeting Name: Council Assembly (Extraordinary meeting)
Report title:		Freedom of the Borough	
Ward(s) or groups affected:		All	
From:		Constitutional Steering Panel	

RECOMMENDATION

1. That Council Assembly considers the recommendation from the Constitutional Steering Panel (CSP) to confer the award of Freedom of the Borough to the nominees outlined in the closed report.

BACKGROUND INFORMATION

2. The council has power under Section 249 (5) of the Local Government Act 1972 to confer the title of "Freeman of the Borough" on persons who have, in the opinion of the council, rendered eminent services to the borough. For the purposes of the Act 'person' includes organisations. The constitution (3A.21) provides for council assembly to confer the title of Freedom of the Borough.
3. The council must agree such conferment by resolution passed by not less than two thirds of the members present at a meeting specially convened for that purpose with notice of the purpose being set out in the summons for the meeting.
4. The council has power under Section 249(6) to spend a reasonable sum as thought fit for the purpose of presenting an address or a casket containing an address to such Honorary Freeman (including those conferred on organisations).
5. The Honorary Freedom of the Borough is the highest award the council can bestow. Since 1965 Southwark has conferred the award on 43 recipients, including 12 in the past three years. On each occasion the council has considered nominations on individual merit.
6. Council Assembly agreed on 30 October 2002 the following criteria for conferment of the Freedom of the Borough:
 - That nominations may be received from councillors, officers, MPs, outside organisations and members of the public who are on the council's Electoral Register.
 - That nominations be limited to one per person/organisation and that they must show by example that the nominee is a "person of distinction who has rendered eminent services to the borough".
 - That there be no restriction as to how often this award may be conferred.

7. Nominations are initially considered by the Constitutional Steering Panel which then makes recommendations to a specially convened meeting of the Council Assembly.
8. If Council Assembly agrees to confer the honour, then a ceremony for presentation of the Honorary Freedom of the Borough is arranged. Previously this has been at a special meeting of the council but this year it has been agreed to make it coincident with Annual Council (incorporating Mayor Making) and the presentation of the Southwark Civic Awards at Southwark Cathedral on Saturday 14 May 2016.
9. A framed ornate scroll of honour is presented to honorands. Individuals (but not organisations) are also entitled to wear a Free Citizen's ceremonial robe at civic ceremonial events.
10. The office of Honorary Freedom of the Borough does not convey with it any legal rights or responsibilities other than a ceremonial role at civic functions. Conditions apply to an award conferred on an organisation (see Appendix A).

KEY FACTORS FOR CONSIDERATION

11. Seven nominations for the Freedom of the Borough listed in the closed report have been received and recommended by the Constitutional Steering Panel on 8 March 2016.

Community impact statement

12. There are no specific implications. Nominations can be made from members of the public who are on the council's electoral roll.

Resource implications

13. Occasional Honorary Freedom of the Borough ceremonies can be managed within existing staff and financial resources. Combining the presentation ceremony with Annual Council, Mayor Making, and the Southwark Civic Awards will greatly reduce the costs that would otherwise be incurred as heretofore the Freedom of the Borough has been a specially organised event.
14. The cost of the framed ornate scroll which each honorand will receive is currently in the region of £200. The purchase of a ceremonial robe will not be required as these are only worn by individual honorands and the council already has an adequate supply.
15. Additional costs may be incurred should there be a civic reception following the presentation ceremony, to which honorands and their guests are invited. In recent years these receptions have significantly reduced in cost due to the serving of a more modest selection of food and drinks.

Legal implications

16. Legal issues are outlined in the body of the report.

REASON FOR URGENCY

17. If Council Assembly agrees to confer the honour, then the most convenient date for a ceremony for presentation of the Honorary Freedom of the Borough is to make it coincident with Annual Council (incorporating Mayor Making) and the presentation of the Southwark Civic Awards at Southwark Cathedral on Saturday 14 May 2016. A

council assembly meeting had already been scheduled to take place on the 16 March 2016 and therefore this is the most appropriate date to take the recommendations. The nominations were initially considered by CSP on 4 March 2016 but held over for further consideration after the main agenda had been issued.

REASON FOR LATENESS

18. The nominations for the Honorary Freedom of the Borough awards were considered by the constitutional steering panel (CSP) on 2 March 2016 however the consideration of the report was adjourned to a meeting of CSP on 8 March 2016 in order to allow members more time to consider the nominations. The date of the adjourned CSP meeting was after the agenda publication date.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Constitution http://www.southwark.gov.uk/info/10058/about_southwark_council/375/councils_constitution	Council Offices, 160 Tooley Street, London SE1 2QH	Constitutional Team Email: constitutional.team@southwark.gov.uk Tel: 020 7525 7228

APPENDICES

Appendix	Title
Appendix A	The Office of Honorary Freedom of the Borough - Conditions applying to an award conferred on an organisation

AUDIT TRAIL

Lead Officer	Gerri Scott, Strategic Director for Housing and Modernisation	
Report Author	Michael Cleere, Civic Engagement Manager Chidilim Agada, Principal Constitutional Officer	
Version	Final	
Dated	14 March 2016	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	No	No
Strategic Director of Finance and Governance	No	No
Strategic Director for Housing and Modernisation	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	14 March 2016	

APPENDIX A

THE OFFICE OF HONORARY FREEDOM OF THE BOROUGH CONDITIONS APPLING TO AN AWARD CONFERRED ON AN ORGANISATION

- A. The award does not provide any rights or privileges to the recipient.
- B. The award is not of itself an endorsement of any services or goods provided by the organisation.
- C. The granting of the award does not entitle the recipient to use the official logo of the council or the borough's coat of arms.
- D. Use of or reference to the award in any advertising or promotional activity is subject to the prior approval of the council. The council reserves the right to withdraw the award in the event of unauthorised use or reference to the award.
- E. When an award is granted to an organisation it may not be used in any way to suggest that individuals associated with the organisation are themselves in receipt of the award.
- F. Where an organisation ceases to exist or ceases to operate in the activity recognised by the award it is automatically withdrawn. The award is not transferrable.
- G. The award does not signal that the council will act as a referee for the organisation or the individual honoured.
- H. All recipients, including organisations, are expected to uphold the principles of the civic functions of the authority and to encompass the diversity of our communities.