

Civic Sub-Committee

Agenda

Date: Tuesday 8th September 2015
Time: 10.00 am
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into two parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Appointment of Chairman**

To appoint a Chairman of the Sub-Committee

2. **Appointment of Vice Chairman**

To appoint a Vice Chairman of the Sub Committee

3. **Apologies for Absence**

To receive any apologies for absence

4. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

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5. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relating to the work of the body in question. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

6. **Council Flag Flying Policy** (Pages 1 - 6)

To review the Council's flag flying policy.

7. **Appointment of Honorary Aldermen and Freemen** (Pages 7 - 10)

To consider options for the convening of a special Council meeting to appoint Honorary Aldermen and Freemen.

CHESHIRE EAST COUNCIL

Civic Sub-Committee

Date of Meeting: 8th September 2015
Report of: Head of Governance and Democratic Services
Subject/Title: Council Flag Flying Policy

1.0 Report Summary

1.1 This report seeks clarification over a number of issues in relation to the Council's flag flying policy and asks the Sub Committee for a view on possible changes to that policy.

2.0 Recommendation

2.1 That the Constitution Committee be asked to review the Council's Flag Flying policy to ensure that it remains fit for purpose.

3.0 Reasons for Recommendations

3.1 The Council's current policy in relation to the flying of flags was set in 2010. After five years it is suggested that it would be appropriate to review the policy in the light of operational and practical issues that have arisen, and to reflect current practices.

4.0 Wards Affected

4.1 All

5.0 Local Ward Members

5.1 All

6.0 Policy Implications

6.1 Apart from the implications for the Flag Flying policy itself, there are no additional policy implications from reviewing or changing this policy.

7.0 Financial Implications

7.1 There are no financial implications.

8.0 Legal Implications

8.1 There are no legal implications from reviewing or changing this policy.

9.0 Risk Management

- 9.1 There are no risk management implications from reviewing or changing this policy.

10.0 Background and Options

- 10.1 The current Council flag flying policy (attached as Appendix I) was set in 2010. The beginning of a new quadrennial period is an appropriate time for the policy to be reviewed.
- 10.2 Section 1 outlines those occasions when the Cheshire East flag should be flown at half-mast, including following the death of a serving Member, Honorary Alderman or Honorary Freeman. Current policy is that the flag remains at half-mast from the day the death occurs until sunset on the day of the funeral. On one occasion strict adherence to this policy resulted in the flag being flown at half-mast for over three weeks. On two other occasions it was flown at half-mast for over two weeks. On average the flag has been flown at half-mast for ten days following the death of a serving Member, Honorary Alderman or Honorary Freeman.
- 10.3 Councils and other public bodies have differing policies on the period of time during which flags should be flown at half-mast following the death of a current or former civic leader/dignitary; there is no one policy in operation across the country. It is recommended that it would be helpful for the Cheshire East policy to be made slightly more flexible, giving the Leader of the Council the discretion to vary the period of time flags are flown at half-mast on those occasions when a funeral is delayed.
- 10.4 Section 2 of the policy outlines those days when the Union flag should be flown; this includes the Queen's Birthday and her Official Birthday. Over the last three or so years the Union flag has been flown on the birthday of a number of other members of the Royal Family, including the Duke of Edinburgh and the Prince of Wales. The Sub-Committee is asked for a view on whether such custom and practice should be regularised and included within the policy. The days in question (in addition to the days already listed in the policy) would be:
- Birthday of Prince Charles 14 November
Birthday of Princess Ann 15 August
Birthday of Prince Andrew 19 February
Birthday of Prince Edward 10 March
Birthday of Prince William 21 June
Birthday of Prince George 22 July
Birthday of Prince Phillip 10 June
- 10.5 The Policy also provides for the Union flag to be flown at half-mast in the event of a soldier from the Mercian Regiment (1st Battalion) being killed whilst on active service. Since the policy was written, the Regiment has restructured. It is suggested that the policy be amended to cover the death, on active service, of any Mercian soldier.

- 10.6 Members of the Sub-Committee are asked if there are any other days on which they would see it as appropriate for the Union flag, or another specific flag, to be flown?
- 10.7 It is recommend that on all other occasions the Cheshire East Flag continue to be flown at Westfields, Macclesfield Town Hall and in Memorial Square, Crewe.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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FLAG FLYING POLICY AT CHESHIRE EAST COUNCIL

1. GENERAL

The Cheshire East Borough Flag will be flown permanently at full mast on all Cheshire East establishments where a safe and serviceable flag pole exists. It will be the responsibility of the Property Team to ensure that Cheshire East Flag is suitably maintained and flown.

The Cheshire East Flag will only be flown at half mast on the death of the following until sunset on the day of the funeral:

- a Member of the Council;
- an Ex-Mayor of the Borough;
- an Ex-Leader Leader of the Council;
- an Honorary Freeman;
- an Honorary Alderman;
- a serving Member of Parliament of a Parliamentary Constituency within the Borough.

Set out below are those occasions when an alternative flag will be flown at the Administrative Centres in Sandbach, Macclesfield and Crewe only.

2. UNION FLAG

The Union flag will be flown full mast on the following days:

- 9 March – Commonwealth Day
- 21 April – Birthday of Her Majesty the Queen
- 13 June – Official Birthday of Her Majesty the Queen
- Second Sunday in November – Remembrance Sunday

The Union Flag should be flown at half mast on the day of the death of the following:

- The Sovereign; or
- The Mayor.

The flag will remain half mast until after the funeral (except in the case of the Sovereign when flags are hoisted right up from 11:00 a.m. to sunset on Proclamation Day – and then lowered back to half mast after sunset until after the funeral).

In the case of deaths within the Royal Family (except the Sovereign), the flag will be flown on the day of the funeral and subject to special commands from the Sovereign in each case.

The Union Flag will be flown to support the Great British Team during the Olympics.

3. NATIONAL FLAG OF ENGLAND

St. George's Day 23rd April.

The National Flag will be flown to support the English Team during the Commonwealth Games and, at the discretion of the Leader of the Council, in support of other National Teams.

4. ARMED FORCES

The following flags will be flown in support of the Armed Forces:

Army 18th June (Waterloo)
Merchant Navy 3rd September (Red Ensign)
Royal Air Force 15th September (Battle of Britain)
Royal Navy 21st October (Trafalgar)
Armed Forces Week (June each year)

5. OVERSEAS VISITORS

The relevant national flag will be flown when Cheshire East Borough formally receives visitors from overseas.

6. MARK OF RESPECT

The Leader of the Council will determine when Cheshire East Council will fly its flags at half mast as a mark of respect to express the sympathies of the Council in appropriate circumstances.

7. OTHER OCCASIONS

Ad hoc requests to fly flags that are not covered by this policy will be determined by the Leader of the Council.

CHESHIRE EAST COUNCIL

Civic Sub-Committee

Date of Meeting: 8th September 2015
Report of: Head of Governance and Democratic Services
Subject/Title: Appointment of Honorary Aldermen and Freemen

1.0 Report Summary

- 1.1 This report outlines options open to the Council in relation to the convening of a Special meeting to appoint Honorary Aldermen and Freemen. It also summaries who can be appointed to these positions and the rights and privileges that they enjoy.

2.0 Recommendation

- 2.1 That a report be taken to the Constitution Committee recommending that a Special Meeting of Council be convened in the autumn/winter to appoint Honorary Aldermen and Freemen.

3.0 Reason for Recommendation

- 3.1 To enable the Council to appoint new Honorary Aldermen and Freemen in accordance with Council policy and the requirements of the Local Government Act 1972.

4.0 Wards Affected

- 4.1 All Wards.

5.0 Local Ward Members

- 5.1 Not applicable.

6.0 Policy Implications

- 6.1 There are no policy implications.

7.0 Financial Implications

- 7.1 There would be a modest cost associated with convening a Special Meeting of Council and hosting a Civic Reception. These costs would be met from existing budgets.

8.0 Legal Implications

8.1 There are no legal implications.

9.0 Risk Management

9.1 There are no risk management implications

10.0 Background and Options

- 10.1 Section 249 of the Local Government Act 1972 allows Local Authorities such as Cheshire East Council to appoint both Honorary Freemen and Honorary Aldermen. The criterion for appointment as Freemen is that an individual should be a “person of distinction” and have “rendered eminent service to the place or area”. The criterion for appointment as an Alderman is that an individual “should have rendered eminent service to the Council as [a] past Member of that Council”. There is no bar on an individual being both an Honorary Freeman and an Honorary Alderman.
- 10.2 Those individuals or organisations who were Freemen of any of the three demised Boroughs automatically became Freemen of Cheshire East on 1 April 2009. Since its creation in 2009, Cheshire East Council has appointed seven individuals as Freemen (all 2012 Olympic or Paralympic medallists) together with the Mercian Regiment. The former County Council could not appoint Freemen. Seven former Members of Cheshire East were appointed as Honorary Aldermen following the 2011 elections.
- 10.3 Cheshire East policy in relation to the appointment of Honorary Aldermen is that a former Member should have served for a minimum of ten years (including service on one of the four demised authorities) and / or have served as Leader or Mayor of Cheshire East.
- 10.4 The Local Government Act specifies that both Honorary Freemen and Honorary Aldermen must be appointed at a Special Meeting of Council, with the appointment being endorsed by a two thirds majority of those Members in attendance at the meeting.
- 10.5 A number of Members who either stood down in May, or who were unsuccessful in seeking re-election, had been appointed by one of the four demised authorities as an Honorary Alderman before the creation of Cheshire East. These individuals automatically became Honorary Aldermen of Cheshire East on 11 May when their term as an elected Councillor ended.

The former Members were:

- Carolyn Andrew
- Roland Domleo
- Paul Edwards
- Brian Silvester

- Chris Thorley
- Paul Whiteley
- Steve Wilkinson

10.6 No formal action needs to be taken to recognise the position of these seven former Members.

10.7 There are a number of other former Members whose service on Cheshire East and/or one of the demised authorities would qualify them for appointment as an Honorary Alderman; these individuals are:

- David Brickhill
- Roy Cartlidge
- Ken Edwards
- Wesley Fitzgerald
- Shirley Jones
- Frank Keegan
- Peggy Martin
- Brendan Murphy
- David Neilson
- Andrew Thwaite
- David Topping
- Roger West

10.8 The Leader indicated at a meeting of Council earlier in the year that he wished to see a number of Members who were standing down from the Council, appointed as Freemen of the Borough. Those Members named by the Leader all satisfy the test of having rendered eminent service to Cheshire East. The now former Members are:

- Carolyn Andrew
- David Brickhill
- Roland Domleo
- Shirley Jones
- Chris Thorley
- David Topping
- Steve Wilkinson

10.9 It will be noted that former Councillors Brickhill, Jones and Topping could be appointed to the position of Honorary Alderman and Honorary Freeman. The views of the Sub-Committee are sought on this. It should also be noted that former Councillors Andrew, Domleo, Thorley and Wilkinson will, if appointed as Freemen, hold both positions.

10.10 Cheshire East policy, endorsed by Council in 2010, is that Honorary Freemen and Aldermen enjoy a limited range of privileges; these are:

- The right to attend meetings of Council;
- The right to be kept updated about the work of the Borough;
- The right to be invited to civic events (an example would be the Mayor's Civic Service); and
- Two free tickets for the RHS and Cheshire Shows each year.

10.11 Honorary Freemen and Aldermen are not eligible to claim any expenses.

10.12 There are two options in relation to the timing of a Special meeting of Council. The first option would be to convene a standalone meeting; the second would be to hold such a meeting either immediately before or after a regular meeting. Council policy is that a civic reception for newly-appointed Freemen and Aldermen is held following the Special Meeting of Council. A possible way forward would be to hold the Special meeting of Council on the same day as the December 17 Council meeting. The views of the Sub-Committee are sought on this issue.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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