
CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 24th June 2010
Report of: Democratic Services Manager
Subject/Title: Civic Sub-Committee Update

1.0 Report Summary

- 1.1 To update the Committee on the work of the Civic Sub-Committee and raise awareness about decisions already taken.
- 1.2 During 2009/2010 the Sub-Committee undertook an exercise in respect of matters relating to the Honorary Aldermen and Freemen of this Council, and made recommendations on the process for the election of the Mayor and Deputy Mayor and upon the introduction of a Mayoral Protocol.
- 1.3 This report summarises the work carried out by the Sub-Committee and also invites Members to make recommendations on future areas of work for the Sub-Committee.

2.0 Recommendations

- 2.1 That the report be noted.

3.0 Financial Implications

- 3.1 There are no identifiable financial implications for 2010/11 arising from this report. As and when this Committee considers recommendations of the Sub Committee such implications will be considered and reported to Members.

4.0 Legal Implications

- 4.1 With regard to Freemen, and inhabitants of former boroughs, under the provisions of Section 248 of the Local Government Act 1972, pre-existing rights and privileges conferred on such persons were unaffected, and after March 1974, Freemen and persons related to or associated with them by marriage, descent, employment or otherwise were entitled to the same rights as them.
- 4.2 With regard to Honorary Aldermen and Freemen, under the provisions of Section 249 of the Local Government Act 1972, "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 with notice of the object, 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 members of that council”.

- 4.3 Sections 32 and 33 of the Local Government (Structural Changes) (Transitional Arrangements) (No2) Regulations 2008 confirm that a person who has been admitted as an Honorary Alderman or Freeman of a local government area that has been abolished shall be treated as being admitted as an Honorary Alderman and Freeman of the new reorganised area.

5.0 Risk Management

- 5.1 There are no identifiable risks associated with the recommendations of this report.

6.0 Background

Update on the Work of the Civic Sub-Committee

- 6.1 At the meeting of the Civic Sub-Committee held on 9th February 2010 it was resolved that

(1) The Democratic Services Manager write to all Members of the Council with a view to confirming the accuracy of the list of honorary aldermen and freemen;

(2) All Members of the Council be consulted on what rights and privileges should be granted to honorary aldermen and freemen in Cheshire East; and

(3) A further report be submitted to the next meeting setting out a proposed scheme for the appointment of honorary aldermen and freemen in Cheshire East.

- 6.2 Members have been consulted and a further report will be presented to the Sub-Committee in due course. A copy of the Consultation document is attached for Members' Information. There was a minimal response, the key issues relating to the accuracy of the list.

- 6.3 At the same meeting it was also resolved

That Council be recommended to agree that

(1) each year, the Deputy Mayor will normally succeed to the Mayoralty in the following year;

(2) each year, the Deputy Mayor will be chosen for appointment by Council by the political group which has the majority of Council Members, provided that in making such choice, another political group or groups may be invited to put forward a nomination for consideration by the majority group;

(3) this approach be adopted in respect of the election of Mayor and appointment of Deputy Mayor for the 2010/2011 Civic Year and beyond; and

(4) the draft Mayoralty Code of (Mayor and Deputy Mayor) Practice, as appended to the report, be adopted by the Council, as amended to reflect the above approach, and be incorporated into the Council's Constitution with such consequential amendments as the Borough Solicitor considers necessary to give effect to the wishes of Council.

7.4 The former Governance and Constitution Committee considered the recommendations of the Civic Sub-Committee in relation to the election of the Mayor and appointment of the Deputy Mayor. The Committee also considered a draft Mayoral Code of Practice which it was agreed be recommended for adoption by Council. Council accepted the recommendations of the Governance and Constitution Committee at its meeting on 25th February 2010. The adopted Mayoralty Code of Practice is appended to this report for information.

7.5 The adopted process for the election of the Mayor and appointment of the Deputy Mayor was followed for the 2010 municipal year.

Future Areas of Work of the Civic Sub-Committee

7.6 At the Annual Meeting of Council the Grant of Arms was presented to the Council. This is being framed and will go on public display in Westfields. The Grant of Arms will be used in the design for the Civic Regalia and the Sub-Committee might wish to make recommendations on this. Approval is being sought to engage an experienced local jeweller who will commission a specialist company to produce the Civic Regalia for the Council.

7.7 In response to several requests to fly the National Flag on St George's Day it was agreed that arrangements be put in place, and the flag was flown from the main administrative buildings. Armed Forces Day is taking place at the end of June and again the Council will be lending its support by flying Armed Forces Flags. There are other occasions on which it might be appropriate to fly flags other than the Cheshire East Flag and the Sub-Committee could be invited to make recommendations on a Flag Flying Policy.

8.0 Access to Information

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

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