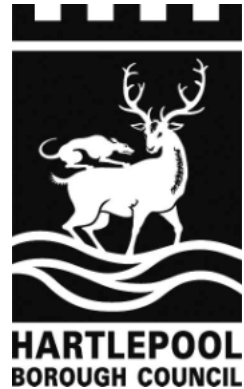


CONSTITUTION COMMITTEE AGENDA



Friday 9 October 2009

at 2.00 pm

in Committee Room C, Civic Centre, Hartlepool

MEMBERS: CONSTITUTION COMMITTEE:

The Mayor, Stuart Drummond

Councillors C Akers-Belcher, Allison, R W Cook, Flintoff, James, Laffey, G Lilley, Preece, Richardson, Simmons

1. **APOLOGIES FOR ABSENCE**
2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
3. **MINUTES**
 - 3.1 (a) Minutes of the Constitution Working Group on 28 August 2009 (*attached*).
 - (b) Minutes of the Constitution Working Group on 29 September 2009 (*to follow*).
 - 3.2 Minutes of the Constitution Committee on 28 August 2009 (*attached*).
4. **ITEMS REQUIRING DECISION**
 - 4.1 Ward Support – *Chief Solicitor*
 - 4.2 Process Relating to Nominations and Election of Honorary Freeman and Alderman – *Chief Solicitor (to follow)*
5. **ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

CONSTITUTION WORKING GROUP

28 August 2009

Minutes

The meeting commenced at 2.05pm in the Civic Centre, Hartlepool

Present:

Councillor: Carl Richardson (In the Chair)

Councillors : Christopher Akers-Belcher, Stephen Allison, Rob W Cook, Bob Flintoff, Pauline Laffey, Geoff Lilley, Arthur Preece and Chris Simmons.

Officers: Peter Devlin, Chief Solicitor
Christine Armstrong, Central Services Manager
Angela Hunter, Principal Democratic Services Officer

7. APOLOGIES FOR ABSENCE

Apologies for absence were received from The Mayor, Stuart Drummond and Councillor Marjorie James.

8. DECLARATIONS OF INTEREST

None.

9. MINUTES OF THE MEETING HELD ON 14 AUGUST 2009

Confirmed.

10. WARD SURGERIES AND THE PURDAH PERIOD – *Chief Solicitor*

The Chief Solicitor referred Members to the minutes of the meeting of the Constitution Working Group on 14 August 2009 which were attached to the agenda. At that meeting, Members had requested a breakdown of the ward surgery budget information to enable further consideration of this issue. Attached to the report by way of appendix was a detailed breakdown of the cost of ward surgeries across all wards along with a summary of this information for the period 2005 to date.

The Central Services Manager informed Members that the funding for ward surgeries was included within the civic function budget head and was broken down further to help with monitoring, for example room hire,

stationery and printing costs. It was confirmed that the budget was included within the regular budget monitoring process undertaken throughout the year. Members were informed that this year the room hire budget had been increased slightly due to an overspend the previous year. These additional resources had been vired from other areas within the civic function budget.

A discussion ensued on the variance in costs for the hire of premises from ward to ward and it was noted that this was dependent on the facilities available in those wards. Members were keen to ensure that all Members had access to resources to enable them to hold up to 12 wards surgeries per year and it was suggested that £3k be allocated for this purpose within the civic function budget.

Reference was made to discussions at the previous meeting in relation to the number of different ways the electorate prefer to contact their ward councillors and how this had changed across the years.

RECOMMENDATION

That £3,000 from within the Civic Function budget be identified specifically as a budget to support Members to hold up to 12 ward surgeries per municipal year.

11. REPORTING MECHANISMS – STANDARDS AND GENERAL PURPOSES COMMITTEES – *Chief Solicitor*

The Chief Solicitor referred Members to the minutes of the Constitution Working Group of 14 August 2009 which included discussions around the democratic accountability of the General Purposes Committee and the knock-on consequences of decisions taken by that Committee, in particular those with financial implications.

There was concern among Members at the amount of information considered by the General Purposes Committee that very few Members had access to due to the confidential nature of the reports. It was noted that there was a lot of operational power invested in General Purposes Committee and little democratic accountability. Members who were on the General Purposes Committee felt that the Committee generally worked well and that a lot of the information dealt with by the Committee or the Appeals and Staffing Sub-Committee related to individuals and their personal details and should remain confidential. It was noted that the wider the circulation of confidential papers, the more likely this information was to get within the public domain.

A Member suggested that a declassified summary could be produced for all confidential reports to enable Members to identify any areas that they consider would be beneficial for them to have further information. If a Member did wish to have further information, an application could be

made to the Chief Solicitor requesting this information. The Chief Solicitor informed Members that he was aware that one local authority had created a Member Working Group which periodically examined all confidential reports.

Although some Members were happy with the current arrangements in place for General Purposes Committee's reports, it was suggested that the Chief Solicitor seek the views of the Corporate Management Team in relation to the production of de-classified summaries of all confidential reports.

RECOMMENDATION

That the Chief Solicitor seek the views of the Corporate Management Team on the introduction of de-classified summary reports for all confidential reports submitted to official Council meetings.

12. ANY OTHER BUSINESS – PRODUCTION OF NEWSLETTERS FOR MEMBERS

A Member referred to the minutes of the Constitution Working Group on 14 August 2009 and the discussion around the resources available for the production of ward newsletters. The Chief Solicitor referred to the extract of the Constitution Committee report which was attached by way of appendix. This report had been submitted to Council on 30 July 2009 and included a recommendation about the Hartlepool Mail being approached to promote details of ward surgeries within the 'What's On' column and it was suggested that this be expanded to include information on the circulation of newsletters and other pertinent information.

The Central Services Manager understood that information on what administrative support was available to Members was included within the Member Induction Packs and indicated that this would be recirculated to all Members. It was confirmed that newsletters had been produced for Members in the past but that they tended to concentrate on specific issues in a particular ward or area of a ward. Members commented that the facility to produce newsletters should be available across all wards and should not be dependent upon all three ward councillors being involved in the request. Furthermore, it was suggested that guidelines be produced to clarify exactly what the production of a newsletter would include, ie black and white print only, maximum of 2 sides of A4 and a limit on the number of newsletters produced in any one year.

RECOMMENDATION

- (i) That the information included within the Member Induction Pack which relates to support available be recirculated to all Members.

- (ii) That guidelines for the production of ward newsletters be produced and submitted to the next meeting of the Constitution Committee for agreement.

The meeting concluded at 3.30pm.

CHAIRMAN

CONSTITUTION WORKING GROUP

29th September 2009

The meeting commenced at 4.00 p.m. in the Civic Centre, Hartlepool

Present:

Councillor Richardson (In the Chair)

Councillors C Akers-Belcher, R Cook, Flintoff, Laffey and Preece

With the approval of the Working Group, Councillor Morris was also in attendance

Officers: Christine Armstrong, Central Services Manager
Alyson Caman, Legal Services Manager/Solicitor
Joan Wilkins, Scrutiny Manager
Amanda Whitaker, Democratic Services Team Manager

13. Apologies for Absence

Apologies for absence were submitted on behalf of the Mayor, Stuart Drummond and Councillors James, G Lilley and Simmons

14. Declarations of Interest by Members

None

15. Minutes

The minutes of the meeting held on 28 August 2009 were confirmed.

16. Ward Support (*Chief Solicitor*)

With reference to minute 10 of the meeting held on 28 August 2009, the Central Services Manager reported that the existing budget headings for Member and Civic expenses had been reviewed. Amounts to be transferred to a new budget cost centre that would relate to ward surgeries had been identified. In relation to ward newsletters, an additional amount had also been transferred from existing budgetary provision to the new budget cost centre, named Ward Support, to cover the cost of producing 4 newsletters per ward per year and the hire of ward surgery premises. Budget provision in the amount of £3000 had been transferred to the new cost centre for hire of premises for ward surgeries. This amount included £1123 already allocated to hire of premises for ward surgeries in this year's budgetary provision. A further amount of £2000 has been transferred to the Ward Support cost centre and identified for printing. This amount included £775 already allocated to printing and would be used for the production of A4 double-sided black and white newsletters that would be provided 4 times per year, per ward.

Members were advised that the guidance included in the New Member's Induction pack was being reviewed. The Central Services Manager responded to various questions and concerns expressed by Members of the Working Group in terms of the production and provision of ward newsletters. It was noted that enhanced guidance would be submitted to the next meeting of the Constitution Committee.

RECOMMENDATION – That the report be noted.

17. Crime and Disorder Committee (*Scrutiny Manager*)

With reference to minute 68 of the meeting of the Constitution Committee held on 10th July 2009, the Scrutiny Manager advised the Working Group of the process for the implementation of changes to Scrutiny arrangements and remits, and future request for Constitutional changes, to meet the requirements of the Crime and Disorder (Overview and Scrutiny) Regulations 2009.

Members were advised that the Local Government White Paper, 'Strong and Prosperous Communities', published in October 2006, proposed a further extended role for Council Scrutiny in England, alongside the Police and Justice Act 2006 which became law in November 2006. Both the White Paper and the Act brought forward measures to develop the role of Local Authorities to tackle crime and disorder.

Regulations and guidance in relation to the development of powers to scrutinise the local Crime and Disorder Reduction Partnership had now become available i.e. the Crime and Disorder (Overview and Scrutiny) Regulations 2009. Consideration needed to be given as to how the requirements of these regulations could be implemented in Hartlepool. An example of the issues needing further discussion being:-

- (i) The creation of a Crime and Disorder Committee;
- (ii) Frequency of meetings;
- (iii) The route for consideration of Crime and Disorder Councillor Calls for Action; and
- (iv) The co-option of individuals where it is seen appropriate.

It was noted that discussions in relation to these and other relevant issues will begin at a meeting of the Scrutiny Co-ordinating Committee on the 23 October 2009 (subject to approval by the Chair of the Committee). A full report would then be presented to a future meeting of the Constitution Working Group / Constitution Committee:-

- (i) Summarising the requirements of the Crime and Disorder (Overview and Scrutiny) Regulations 2009;
- (ii) Outlining the Committee's proposals for the way forward in the implementation of the regulations; and
- (iii) Seeking consideration of any required Constitutional changes.

RECOMMENDATION - That the report be noted.

18. Reporting Mechanisms – Standards Committee and General Purposes Committee (*Chief Solicitor*)

With reference to minute 11 of the meeting of the Working Group held on 28 August 2009, the Chief Solicitor submitted a further report which clarified the current remit of the Standards and General Purposes Committees, suggested changes to the remit particularly in relation to the Standards Committee and which also considered direct reporting by those Committees of matters pertinent to Council.

Members noted that General Purposes has a particularly wide remit. The Appeals and Staffing Committee has a more confined remit as would be expected. The report advised that there would need to be careful consideration whether or not there should be any formal reporting mechanism deriving from General Purposes (Appeals and Staffing) Committee to Council. In relation to the General Purposes Committee due to the nature of the functions of this Committee surrounding regulatory matters, the report advised that that Committee may not necessarily lend itself or require direct reporting to Council. Members were reminded that following a Notice of Motion, there was a referral to General Purposes to discuss whether or not there should be changes to the Electoral Scheme operated by the Authority. It is those situations, whereby the reporting of General Purposes Committee to Council could be considered to be both necessary and appropriate. Consequently, it was considered that a reference for that Committee to make recommendations to Council should ordinarily suffice.

In terms of the Standards Committee, although, the views of the Constitution Working Group and Constitutional Committee were sought, it was appropriate for dialogue to be initiated with the Standards Committee over any possible changes to their present role and function. However, for the purposes of discussion, a number of areas of additional functionality of that Committee were set out in the report.

Members were advised that the Standards Committee had met on 15th September 2009. The Chief Financial Officer had suggested a change to the following proposed additional function of the Standards Committee:-

'To receive and review from the Council's Audit Committee the Council's Annual Governance Statement and to make recommendations for the approval of the Annual Governance Statement to the Audit Committee'

A change in the wording would allow Standards Committee to make recommendations to Audit Committee where it felt necessary in relation to the Governance Statement. The change to the above function was suggested as follows:-

"To make recommendations to the Council's Audit Committee in relation to the Annual Governance Statement, as deemed necessary"

Members expressed concern at the tight timescales associated with consideration of the Governance Statement and the implications of potentially adding an additional Committee meeting to the already tight timetable.

Members sought clarification regarding the Standards Committee's Review Sub-Committee consideration of requests for review of a complaint wherein a "no action" decision had been given, particularly in terms of responsibility for requesting a review.

Reference was made to the responsibility of the General Purposes Committee in respect of holding elections. The attention of Members was drawn to issues associated with access to a Care Home, at Wynyard, which had been used as a Polling Station at the recent by election for the Elwick Ward. The issue had been referred to Peter Devlin.

RECOMMENDATION –

- (i) That the report be noted.
- (ii) That the Chief Solicitor submit a further report to the Working Group, including the views of the Audit Committee on the involvement of the Standards Committee in consideration of the Annual Governance Statement.

19. Any Other Business

Process relating to the nomination and election of Honorary Freemen and Aldermen

The Chairman advised Members that the Civic Honours Committee had considered the above and the process had subsequently been approved by Council. The process included an invitation, on a confidential basis, to a nominee whose nomination is resolved to be referred to Council, to indicate whether s/he would accept the relevant honour if offered. Concern was expressed at the potential implications if a nomination was not approved by Council if a nominee had already been made aware of the nomination.

RECOMMENDED – That the Constitution Committee recommend to the next Ordinary meeting of Council that the Process relating to the nomination and election of Honorary Freeman and Alderman be amended as follows:-

- Deletion of Paragraph 2.2
- Deletion of 'Following confirmation of the nominee's prospective acceptance', at the start of Paragraph 2.3

The Chairman sought the views of the Working Group as to whether the nominees whose nomination had been resolved, by the Civic Honours Committee, to be referred to Council should be referred to the next Ordinary Council meeting or to an Extraordinary meeting of the Council for consideration. Following discussion, most Members in favour of agreeing the latter, agreed that the final decision should be made the Chairman.

The meeting concluded at 5.10 p.m.

CHAIRMAN

CONSTITUTION COMMITTEE

MINUTES AND DECISION RECORD

28 August 2009

The meeting commenced at 2.00 pm in the Civic Centre, Hartlepool

Present:

Councillor: Carl Richardson (In the Chair)

Councillors: Christopher Akers-Belcher, Stephen Allison, Rob W Cook, Bob Flintoff, Pauline Laffey, Geoff Lilley, Arthur Preece and Chris Simmons.

Officers: Peter Devlin, Chief Solicitor
Christine Armstrong, Central Services Manager
Angela Hunter, Principal Democratic Services Officer

70. Apologies for Absence

Apologies for absence were received from The Mayor, Stuart Drummond and Councillor Marjorie James.

71. Declarations of interest by Members

None.

72. Confirmation of the following minutes

Constitution Committee – 10 July 2009 – confirmed.

73. Any other items which the Chairman considers are urgent – Minutes of the Constitution Working Group – 14 August 2009

Received.

The meeting concluded at 2.05pm.

CHAIRMAN

CONSTITUTION COMMITTEE

9 October 2009



Report of: Chief Solicitor

Subject: WARD SUPPORT

1. PURPOSE OF REPORT

- 1.1 This report will update Members on the enhanced arrangements for ward newsletters and advise on budgetary provision for hire of premises for ward surgeries.

2. BACKGROUND

- 2.1 As Members will be aware, this topic was referred back to the Constitution Working Group by Council to make recommendations for the consideration of the Constitution Committee before further reference to Council. The relevant extract of the report as submitted to Council is appended herewith (Appendix 1).
- 2.2 At recent meetings of the Constitution Working Group, Members requested a separate budgetary cost centre be set up for ward surgeries and ward newsletters.
- 2.3 Members also asked that the guidance included in the Members' Induction Pack in relation to Ward Newsletters be enhanced to provide more detail on what services can be provided by the Members' Services Team.

3. PROPOSALS

- 3.1 A new cost centre has been set up that includes budgetary provision for hire of premises in the amount of £3000 and printing in the amount of £2000.
- 3.2 The budget in relation to ward surgeries will be utilised for hire of premises for up to 12 surgeries per ward per year.

- 3.3 For ward newsletters, an amount of £2000 is available for the production of 4 newsletters per ward per year based on a single sheet of A4 size paper printed in black ink only.
- 3.4 Attached at **Appendix A** is a draft copy of the enhanced guidance that will be included in future copies of the Members' Induction Pack. Once agreed, the guidance will also be issued to existing Elected Members.

4. FINANCIAL CONSIDERATIONS

- 4.1 The budgets required for hire of premises and printing has been transferred to the new cost centre from existing civic expense budgetary provision.
- 4.2 No budget provision is included for the delivery of ward newsletters as it is assumed that Members will distribute the newsletters personally.

5. RECOMMENDATIONS

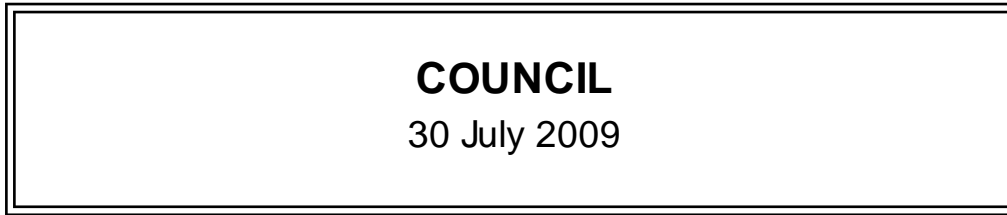
- 5.1
- a) That the budget provision included in the new cost centre be noted.
 - b) That the guidance included in **Appendix A** be agreed.
 - c) That Members reaffirm the recommendations referred from Council on 30 July 2009 as attached at **Appendix 1**.

6. BACKGROUND PAPERS

Constitution Working Group Minutes dated 28 August and 29 September 2009.

7. CONTACT OFFICER

Christine Armstrong, Central Services Manager, 01429 523016
christine.armstrong@hartlepool.gov.uk



Report of: Constitution Committee

Subject: Business Report

3. WARD SURGERIES AND THE 'PURDAH' PERIOD

- 3.1 Members of the Constitution Working Group and Committee requested a report concerning the pre-election or "Purdah" period and its relationship with the holding of Ward Surgeries. It is generally recognised that the period prior to Parliamentary, European and Local Authority elections can be a time of significant public interest and public scrutiny. There are a number of statutory provisions and also Government issued guidance, governing how candidates, Officers and the Council itself can act and use Council resources and facilities during this period. It has therefore become common practice for guidance to be issued during this sensitive period. Such information has focussed upon the legal and ethical considerations that Members should generally be aware of and be alert to, during this period. This incorporates and affects Members involvement in Council events during this pre-election period and the arrangement for publicity for those events. This not only impacts on the activities of candidates for election but how the Council and its Officers can respond to requests from Members during this period.
- 3.2 Although the connotation behind "Purdah" associated with the pre-election period has resonance for Central Government, the principles behind such restrictions have had increasing resonance and application to Local Government. The Cabinet Office Circular CO(08)3 (28th February 2008) provides specific advice within the Circular upon Government decisions and actions during the pre-election period, comprising advice on;
- Government decision making generally during the pre-election period;
 - making appointments in the pre-election period; and
 - conducting Government advertising campaigns during the election.
- 3.3 The pre-election period has generally been taken to commence on the publication of the notice of elections and concludes on the date of polling. Previous guidance issued to Members and Officers has advised that they must ensure that they;

- avoid – or do not give the impression of – breaching any such guidance, as to do so could have electoral and reputational implications for any Member standing for election;
- and
- if at all possible, improve the Council's standing and reputation in terms of electoral matters.

3.4 The Local Government Act, 1986, imposes;

- (a) a prohibition on Local Authorities publishing “any material which cover in whole or in part what appears to be designated to affect public support for a particular party”; and
- (b) a Code of Practice (issued by the Secretary of State under the Act) to which the Local Authorities must have regard in coming to any decisions on publicity.

3.5 The definition of “publicity” is “any communication, in whatever form, addressed to the public at large or to a section of the public”. In determination of whether any material contravenes the above prohibition, the Act provides that regard shall be had to a number of matters including “the time and other circumstances of publication”. It is abundantly clear that any Member or indeed Officer, would not be permitted to use any Council resources for private or party political purposes. To do so would be in breach of the provisions of the Act and the Code of Conduct for Members.

3.6 As mentioned in the previous guidance notes issued on the “Purdah” restrictions, the business of the Council needs to continue and indeed must continue during an election period. The Court of Appeal recognised in the case of *Persimmon Homes Teesside Ltd v R (Kevin Paul Lewis) [2008]*, which considered the decision making of a Council's Planning Committee during the pre-election period, that there were sound logistical reasons for decisions being taken during the period in question. However, publicity around Council business/events must be thoroughly thought through to ensure that Council resources are not used or allowed to be used or manipulated by anyone for private or more so, party political purposes. It would appear, from sight of previous meetings that the current policy of the Council was set out in the minutes of the Resources Committee which met circa 2001. In effect, the Council undertook;

- (a) the administration involved in arranging of Ward Surgeries, be limited to 10 per Ward per year, such surgeries taking place in venues such as community centres and schools, and
- (b) publishing notice of the Surgeries in Hartbeat, the Council's quarterly community magazine published and circulated by the Council to in excess of 40,000 homes in the Borough.

- 3.7 Generally, in relation to Ward Surgeries, any decision is one for the Executive, subject to the requirement of the Council to consent to decisions that are outside the Council's Budget and Policy Framework. Costs are borne by the Council in relation to the hire of rooms etc., In addition, there are some indirect costs which relate to staff time in making and facilitating such arrangements. It would also appear, that a convention/practice has arisen that no Ward Surgeries would be arranged during an election period ie, again, for the avoidance of doubt that relating to an issue of notice of election to the date of poll. The Chief Solicitor has had the benefit of seeing some initial instructions sent to Counsel by the then Chief Solicitor which indicated although it appeared that several factors could be involved, it was not clear on what basis this "moratorium" had been adopted.
- 3.8 Although the reasonableness of the costs involved and undertakings in making such arrangements and the incurring expenditure in relation thereto is of consideration, there is the possibility that such costs could also potentially be in breach of the provisions of the Political Parties, Elections and Referendums Act, 2000. This legislation, amongst other provisions, provides the general restrictions relating to incurring campaign expenditure. It is therefore considered, that it is likely, but not inevitable, that costs borne by the Council in relation to arranging and giving public notice of Ward Surgeries could probably be considered to be an election expense insofar as the same relate to Surgeries held within the "Purdah" period. Similar considerations would apply in relation to the restrictions imposed through the provisions of the Local Government Act, 1986. This would be evidenced, for example, if the Surgery was used to promote a candidate, or the policy to which he/she subscribes. Further, it would not be a sufficient argument to indicate that such a Surgery had, in any event, been prearranged prior to the pre-election period.
- 3.9 Following detailed consideration of this item, the Constitution Committee made the recommendations as indicated below;

RECOMMENDATIONS

- (i) That in the year where a current Member stands for re-election, they should not participate in any ward surgeries held during the pre-election (purdah) period.
- (ii) That up to 12 surgeries may be held in each ward per year and that any budget implications be forwarded to the relevant Portfolio Holder for consideration.
- (iii) That on occasions when only 1 of the 3 ward Councillors wished to hold a ward surgery, then this be allowed subject to sufficient budget being available.
- (iv) That the Hartlepool Mail be approached to ascertain whether an article could be placed in the 'What's On' column to promote dates of all ward surgeries.

APPENDIX A

WARD SUPPORT

Procedure for Ward Newsletters

1. Up to 4 newsletters per Ward will be printed each municipal year.
2. Newsletters should be related to Ward matters/issues and **must not** contain political subject matter.
3. All newsletters will be printed using the Council's corporate template, which has no impact on the content.
4. Members can produce their own newsletter, using the corporate template, or may submit content and layout of articles to the Members' Services team for printing.
5. Submitted articles will be returned to the relevant Member for proof reading, following which the Members' Services team will organise printing.
6. All printing will be on A4 size white paper, in black ink only. The maximum number of newsletters that will be produced per issue will be the number of properties situated in the relevant Ward.
7. In wards where newsletters are not issued on a regular basis, a reminder about this service may be issued to Members on a quarterly basis.
8. Arrangements for distribution of newsletters will be the responsibility of Ward Members.
9. The Members' Services Team will provide further advice and guidance as necessary.

Issued October 2009

CONSTITUTION COMMITTEE

9 October 2009



Report of: Chief Solicitor

Subject: PROCESS RELATING TO THE NOMINATION AND ELECTION OF HONORARY FREEMEN AND ALDERMEN

1. PURPOSE OF REPORT

- 1.1 To consider the recommendation of the Constitution Working Group in respect of changing the process relating to the nomination and election of Honorary Freeman and Alderman.

2. PROPOSALS/DETAILS

- 2.1 At the meeting of the Constitution Working Group held on 29th September, 2009, Members were advised that the Civic Honours Committee had considered the process, attached at **Appendix 1**, relating to the nomination and election of Honorary Freeman and Alderman. The process had been subsequently approved by Council. The process included an invitation, on a confidential basis, to a nominee whose nomination is resolved to be referred to Council, to indicate whether s/he would accept the relevant honour if offered.
- 2.2 Concern was expressed, by Members of the Working Group, at the potential implications if a nomination was not approved by Council if a nominee had already been made aware of the nomination.

3. **RECOMMENDATION** – That the Constitution Committee recommend to the next Ordinary meeting of Council that the Process relating to the nomination and election of Honorary Freeman and Alderman be amended as follows:-

- Deletion of Paragraph 2.2
- Deletion of 'Following confirmation of the nominee's prospective acceptance', at the start of Paragraph 2.3

APPENDIX 1

Process relating to the nomination and election of Honorary Freeman Aldermen

1. Nominations

1.1. Freeman of the Borough of Hartlepool

1.1.1 Nominations for election as an honorary freeman should

- (a) have been born in the Borough *and/or*;
- (b) reside or have resided in the Borough *and/or*;
- (c) have or have had strong established links to the Borough; *and*
- (d) in some manner have brought distinction upon the Borough.

1.1.2 Nomination for election as honorary freeman may be made by any -

- (a) Hartlepool Borough Councillor
- (b) political party or group connected with the Council
- (c) voluntary organisation operating in the borough
- (d) corporate body with premises in the borough
- (e) public or charitable body, or
- (f) member of the public

1.1.3 The nominee must be either -

- (a) an individual person (not a body corporate), or
- (b) a group of individual persons,

but a person may not nominate him/herself

1.1.4 Nominations must be in writing and may be submitted to the Chairman of the Council, the Mayor or the Chief Executive. A nomination should state the person or body making the nomination and his/her/its address and include an explanation of why the person nominated is considered appropriate to be elected as honorary freeman.

1.1.5 Publicity

Invitation to submit nominations for election as freeman of the borough shall appear in two editions of Hartbeat prior to the closing date for nominations, and shall be posted on the Council's website www.hartlepool.gov.uk

1.2 Honorary Aldermen

1.2.1 Nomination for election as honorary alderman may be made by any -

- Hartlepool Borough Councillor
- Political party or group connected with the Council

- 1.2.2 Nominations must be of a person who has formerly served as a councillor of Hartlepool Borough Council
 - 1.2.3 Nominations must be in writing and may be submitted to the Chairman of the Council, the Mayor or the Chief Executive. A nomination should be signed by the person or on behalf of the group making the nomination and include an explanation of why the person nominated is considered appropriate to be elected as honorary alderman.
2. Consideration of nominations
- 2.1 Nominations for election as honorary freeman and honorary alderman considered by the proper officer to comply with the requirements of para 1 (but for this purpose disregarding para 1.1.1) shall be referred to the next meeting of the Civic Honours Committee. The committee will consider each nomination (including its compliance with para 1.1.1) and may resolve to recommend the nomination to the Council. The committee shall comprise
 - The Mayor
 - The Chairman
 - Seven Members (3 Labour, 1 Conservative, 1 Liberal Democrat, 1 Administrative Group and 1 Independent)
 - One Resident Representative, and
 - One representative from the Community Empowerment Network

(the Resident Representative and the representative from the Community Empowerment Network, being non-voting members of the committee)

(Note - the proper officer for the purposes of para 2.1 is the Chief Executive or his nominee)
 - 2.2 A nominee whose nomination is resolved to be referred to the Council will be invited, on a confidential basis, to indicate whether s/he would accept the relevant honour if offered.
 - 2.3 Following confirmation of the nominee's prospective acceptance, at the next ordinary meeting of the Council the Council will determine whether or not they are minded to elect the nominee as honorary freeman or alderman, as the case may be. Before the matter is considered the Chairman will invite the Council to resolve to exclude the press and public pursuant to Local Government Act 1972 sched 12A para 2.
 - 2.4 If the Council resolve that they are minded to elect the nominee as honorary freeman or alderman the matter shall be deferred to be dealt with at an extraordinary meeting of the Council convened especially for that purpose.
 - 2.5 The date for the extraordinary meeting to confer the honour shall be fixed either by the Council at the meeting referred to in para 3.4 or by the Chairman.