



GUILDFORD  
BOROUGH

**James Whiteman**  
Managing Director

[www.guildford.gov.uk](http://www.guildford.gov.uk)

Dear Councillor

**CORPORATE GOVERNANCE AND STANDARDS COMMITTEE**  
**THURSDAY 23 SEPTEMBER, 2021**

Please find attached the following:

**Supplementary Information Sheet (Pages 1 - 16)**

Yours sincerely

John Armstrong,  
Democratic Services and Elections Manager  
Tel: (01483) 444102

Encs

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# CORPORATE GOVERNANCE AND STANDARDS COMMITTEE

23 SEPTEMBER 2021

## SUPPLEMENTARY INFORMATION

### AGENDA ITEM 3: MINUTES

The draft minutes of the special meeting of the Committee held on 26 August 2021, which were published on the Council's website and circulated to the Committee on 20 September 2021, are attached as **Appendix 1** to this Supplementary Information Sheet.

### AGENDA ITEM 4: PERFORMANCE MONITORING REPORT 2021-22 (QUARTER 1)

Following enquiries from councillors, further information/explanations and answers to questions relating to the Performance Monitoring report are set out below:

#### Questions/comments about specific performance indicators:

##### Housing Register

*H&J7 - Why are there more families on the register? Is this due to more being made homeless/ evicted? If so, why? Or is there greater difficulty in housing such families?*

There is no single reason, and the increase reflects the overall challenges that households are experiencing in housing which will include affordability, suitability, or accessibility.

##### Business Rates/Rateable Properties

*H&J12 - Why is business rates collection significantly down on Q1 last year?*

This is due to the ongoing impact of COVID and also an amendment to the level of rate discount available to Nurseries and Retail premises. They received 100% reduction for 3 months, and then only 66%. We rebilled during June and the consequence is that instalment profiles are not like-for-like with any previous year. In simple terms we measure the collection rate for the whole year, but for a large proportion of businesses we were not able to collect anything in Q1 due to the discount.

*H&J14 - Do we know why the number of empty properties is so much higher than last year? Any analysis of property type, e.g. office, retail etc. Having this info might influence our policy on change of use etc.*

This was never put forward as a perfect measure – just one that was available from existing reports. It assumes that our rating records match actual occupation. Prior to the pandemic this would have been the case because work was up to date and empty properties were checked regularly for changes. During the pandemic these checks were suspended and resources were used to support the COVID business grants to businesses. Enquiries about grants also swamped the business rates team. This is a good question but only if we have confidence in the underlying data. I would say that there was a definite time lag with regards to our records and reality at 30 June. We have not done any analysis of the property types, as this information is not contained in the reports that we are using and the measure was

intended to simply give an indication of whether empty business property numbers were increasing. I have looked at the 31 August figure and it is 539.

### **Vacant Town Centre Retail Units**

*H&J16 – Why are we doing worse than the UK and SE averages?*

High rents in Guildford may have an impact. We also have a diverse range of landlords, including many financial institutions without strong connections to Guildford, which means that opportunities for piloting alternative uses is sometimes challenging.

A new commercial property forum has been created to improve dialogue on how best to promote Guildford and to share leads, market trends and market intelligence. Experience Guildford has also launched a pilot Commercial Property Portal with the Completely Group that showcases Guildford to prospective new investors with the portfolio of properties available.

### **Community Meals**

*COM3 – Is it really red? Shouldn't we be pleased it is decreasing?*

It is positive that people are able to live independently, and the reduced number is due to people no longer being affected by Covid restrictions. However, we are always looking to grow the offer of community meals and get more people from all age groups who may be vulnerable taking up the service.

### **Handyperson and Care and Repair Jobs / Public Sector Adaptations**

*COM 4,5,6 – It would be helpful to know how many are on the waiting lists and how long people have to wait*

COM4/5 - 252 handyperson jobs are currently due to be undertaken over the next 14 days and 25 care and repair cases are pending. These are not waiting lists as such, but a schedule of work in process.

COM6 - The number of completed public sector adaptations in the first quarter was 24. We have already exceeded that figure into the second quarter as Covid restrictions eased.

The current commitment and spend is £282,106.78 from our budget of £650,000. We have two large projects currently in the planning process with a total a value of £130,000.

Waiting times relate to the initial occupational therapist (OT) assessments rather than contractors completing the adaptation. We are continuing to use our external OT consultants to manage the waiting list but have a new Occupational Therapist who has just started in the last few weeks and is starting to build up her own case load. Current waiting times remain at around 8 weeks for an assessment, with approximately 30 cases on the waiting list.

## **Council Tax**

*COM10 – The heading indicates council tax but the commentary says business rates. Which is it?*

This PI relates to Council Tax and the description should read 'Percentage calculated, as a cumulative year-to-date figure, from the total of council tax payments received compared to the total amounts payable in that year.'

## **Ombudsman Complaints**

*COU19 – It is disappointing 2 ombudsman complaints were upheld. What can we learn from them to avoid repetition? Are details, redacted where necessary, being published on website?*

All complaints are published on the Ombudsman's website, with names/sites etc changed/redacted. Both complaints related to planning applications and the information shown below is taken from the Ombudsman's website:

Case ref 20 000 341 – decision 11 February 2021 - Summary: Mr B complained the Council failed to follow its procedures when granting planning permission for a development, based its decision on misleading information, failed to properly consider the impact of the development and failed to consider the relevant policies. Mr B also complained the Council failed to fully respond to his complaint. There is no fault in how the Council considered the planning application. The Council did not respond to all the points Mr B raised in his complaint. That has led to him going to time and trouble to pursue the complaint. An apology is satisfactory remedy.

Case ref 20 004 025 – decision 22 March 2021 – Summary: Mrs X complained the Council's decision on her planning application was inconsistent and that she should not have been put to the costs of a planning appeal. There was fault in the way the Council reached a view on another planning application, however, this did not cause injustice to Mrs X. There was no fault in the way the Council decided her planning application.

## **AGENDA ITEM 7: FINANCIAL MONITORING REPORT (APRIL TO JULY 2021)**

The Director of Resources has reviewed the table in para 7.10 of the report (page 80 of the agenda) and has produced the revised table attached as **Appendix 2**.

## **AGENDA ITEM 9: REVIEW OF THE PROTOCOL ON THE APPOINTMENT, ROLE, STATUS, RIGHTS AND OBLIGATIONS OF HONORARY FREEMEN AND HONORARY ALDERMEN**

As mentioned in the report to the Committee, this matter was considered by the Corporate Governance Task Group, at its meeting held on 20 September 2021.

The Task Group's suggested amendments to the Protocol are highlighted by way of tracked changes on the version of the Protocol attached as **Appendix 3** to this Supplementary Information Sheet.

## **AGENDA ITEM 10: CORPORATE GOVERNANCE AND STANDARDS COMMITTEE WORK PROGRAMME**

In considering the work programme at the last meeting, the Committee discussed how it could better monitor expenditure on:

- (a) Housing Capital Schemes to avoid repayment of RTB receipts to the Government,
- (b) Capital schemes funded by S106 contributions to avoid repayment to developers, and
- (c) Any other capital schemes reliant on grant funding which might need to be returned if monies are not spent within a specified timeframe.

In response, the Director of Resources has taken the following action:

In relation to (a) above, the Director of Resources has included the RTB schedule in paragraph 7.10 of the Financial Monitoring Report item (page 80 of the agenda), which details

- the amount of expenditure required to avoid repayment, based on actual spend to date and assumption of 20 RTB sales per year, and
- A forecast of expenditure to be incurred as detailed on the approved housing capital programme.

In relation to (b) above, we are working on this currently and are meeting with the s106 officer about the best way to present the information.

In relation to (c) above, we intend to include a summary table in future Financial Monitoring Reports.

Corrections:

It is suggested that the following changes be made to the work programme:

18 November 2021

<b>Item</b>	<b>Proposed change</b>
2020-21 Audit Findings Report: Year ended 31 March 2021	Defer to the 20 January 2022 meeting
Final 2020-21 Audited Statement of Accounts	Defer to the 20 January 2022 meeting

Add the six-monthly report on Planning Appeals to the list of items for the June 2022 meeting.

# CORPORATE GOVERNANCE AND STANDARDS COMMITTEE

Appendix 1

26 August 2021

- \* Councillor George Potter (Chairman)
- \* Councillor Deborah Seabrook (Vice-Chairman)

Councillor David Goodwin  
Councillor Nigel Manning  
\* Councillor Susan Parker  
Councillor John Redpath  
\* Councillor James Walsh

Independent Members:

Mrs Maria Angel MBE  
Mr Murray Litvak

Parish Members:

\*Ms Julia Osborn  
Mr Ian Symes  
Mr Tim Wolfenden

\*Present

The Leader of the Council, Councillor Joss Bigmore and Councillors Colin Cross, and Graham Eyre were also in attendance.

## **CGS20 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillors David Goodwin, Nigel Manning (for whom Councillor Graham Eyre substituted), John Redpath (for whom Councillor Colin Cross substituted), and from Maria Angel MBE, Murray Litvak, Ian Symes, and Tim Wolfenden.

## **CGS21 LOCAL CODE OF CONDUCT - DISCLOSURE OF INTERESTS**

There were no disclosures of interest.

## **CGS22 MINUTES**

The minutes of the meeting of the Committee held on 29 July 2021 were approved as a correct record. The Chairman signed the minutes.

## **CGS23 INTERNAL AUDIT PROGRESS REPORT (APRIL TO JULY 2021)**

The Committee considered a report on progress made by the Council's internal audit manager (KPMG) on their internal audit plan for 2021-22 for the period April to July 2021, which included a summary of the work that they had concluded since the previous report to Committee and what they had planned to do ahead of the next. The report also provided a summary of three performance reporting reviews which examined data quality, in terms of the consideration of the completeness, accuracy, and reliability of the Key Performance Indicators (KPIs) that were reported and used for decision making purposes at the Council.

The Committee noted that in 2020-21, when this area was looked at previously, KPMG had issued an amber/red rated report. This year, there had been a positive direction of travel as demonstrated by the overall amber/green rating of assurance. In completing this work, KPMG had looked at three KPIs that were included within the Corporate Performance Monitoring Report namely, staff turnover, average time to let void properties, and council tax collected. KPMG had identified no significant issues through the Audit and had agreed a number of management actions, three of which were graded amber and one graded green,

which related to enhanced quality assurance procedures, data security, and clarification of some of the definitions used for the KPIs.

In debating this item, the Committee raised the following points:

- In response to a question as to whether KPMG should report to the Committee on progress with the internal audit plan more frequently, KPMG noted that the reason for the two-stage approach rather than anything more frequently through the year in terms of following up on the recommendations was that the deadlines for implementation tended to coalesce around the financial year end.
- It was noted that CIPFA guidance on audit committees in local government had recommended that to discharge their responsibilities effectively, such committees should, inter alia, be able to meet privately and separately with the external auditor and with the head of internal audit. The Council's external and internal auditors both confirmed that they would be happy to meet privately with the Committee.
- In response to a question regarding the monitoring of information on void properties using paper-based cards, and the action the Council was taking to address the auditor's findings, the Director of Resources indicated that she would find out and circulate a response to the Committee.

The Committee

RESOLVED: That the internal auditor's progress against their 2021-22 internal audit plan, together with the key findings from the reviews undertaken, be noted.

Reason:

To ensure good governance arrangements and internal control by undertaking an adequate level of audit coverage.

## **CGS24 FINANCIAL MONITORING 2021-22 PERIOD 3 (APRIL/JUNE 2021)**

The Committee considered the latest financial monitoring report, which summarised the projected outturn position for the Council's general fund revenue account, based on actual and accrued data for the period April to June 2021.

Officers were projecting an increase in net expenditure on the general fund revenue account of around £4.4million.

Covid-19 continued to impact the Council. The direct expenditure incurred by the Council in the current financial year currently stood at £59,718. The Government support would contribute to both the direct and indirect costs of the Covid-19 pandemic.

The indirect costs of Covid-19, particularly the loss of income, were reflected in the services forecasting. As the pandemic continued, estimates for losses in income and increased costs had been made with the best information available, which were subject to change as the year progressed. The report considered the expenditure and income forecasted up to 30 June 2021 and would potentially be subject to substantial movement depending on the success of the Government's roadmap for lifting all Covid restrictions.

The Council would be able to make a claim for some of the income loss under the Sales, Fees and Charges compensation scheme; however, officers were waiting for the government to issue guidance on this scheme for 2021-22 so an estimate of how much might be claimed was not currently included within the projection.

There was a reduction (£217,940) in the statutory Minimum Revenue Provision (MRP) charge to the general fund to make provision for the repayment of past capital debt reflecting a re-profiling of capital schemes.

A surplus on the Housing Revenue Account would enable a projected transfer of £7.2 million to the new build reserve and £2.5 million to the reserve for future capital at year-end.

Progress against significant capital projects on the approved programme as outlined in section 7 of the report was underway. The Council expected to spend £118.194 million on its capital schemes by the end of the financial year.

The Council's underlying need to borrow to finance the capital programme was expected to be £73.329 million by 31 March 2022, against an estimated position of £94.59 million. The lower underlying need to borrow was a result of slippage on both the approved and provisional capital programme as detailed in paragraphs 7.3 to 7.6 of the report.

The Council held £130 million of investments and £271 million of external borrowing on 31 January 2021, which included £192.5 million of HRA loans. Officers confirmed that the Council had complied with its Prudential indicators in the period, which had been set in February 2021 as part of the Council's Capital Strategy.

In considering this report, the Committee made the following comments:

- In response to a question in relation to expenditure in the current year on the proposed Guildford Park Road development in the HRA capital programme, the Director of Resources confirmed that a small amount of expenditure on the project was forecast for this financial year. The project was progressing and had been redesigned to omit the car park from the scheme, and it was anticipated that a planning application would be submitted in the new year. There was therefore a likelihood that there would be some planning related costs in this financial year, but the actual expenditure on the scheme probably would not come forward until at least the next financial year, subject to receipt of a new planning permission.
- The Right to Buy model in the report stated that no RTB receipts were at risk of repayment until 2028-29, which appeared to contradict the Lead Councillor for Resources' statement that the Council had £7 million at risk up to 31 March 2023. The Director of Resources commented that a great deal of work had been done in the last few months to identify new housing capital schemes and to acquire further properties in order to reduce the risk of repayment of RTB receipts. Whilst in March 2021, there was a risk that if the Council did not take any action, there was potentially a risk of having to repay a further £7 million by 2023; the work that had been done particularly around bringing forward some of the smaller pipeline projects meant that there was currently no risk of having to repay. This would, however, be kept under review.
- Greater prominence should be given to the purpose for which S106 contributions are to be put, and to set out details of total contributions received, amounts allocated to Surrey County Council in relation, for example, to highways/education, balance retained by Guildford Borough Council for its purposes.
- In relation to the trends around the estimated overspend, the Director of Resources was confident that, for period 4, there would be a slightly smaller overspend compared to the figure reported now, although the overspend would still be a significant problem. In terms of how the Council was dealing with it, there were

options to consider but the difficulty was clearly the loss of income from sources such as car parking fees and our Leisure Management contract. In terms of scaling back expenditure beyond what the Council had already achieved with Future Guildford and what the Council had already programmed to do in respect of the Savings Strategy, it would be very difficult to find additional savings in this financial year. The Director noted that accurate estimates of costs and savings arising from the Guildford Waverley collaboration proposals were not yet known, although indicative estimates of the potential costs had been provided to councillors in the exempt information considered at the Council meetings in July.

- In response to the various points raised by the Committee, the Leader commented on the continuing uncertainty around revenue streams, particularly in the leisure industry, which have impacted significantly on the Council's financial position. The Council was also currently reviewing its operational property needs post Covid, and this would be a matter for further discussion with Waverley as part of the collaboration proposals. The Leader also indicated that the Council would need to review the high level of discretionary services it currently provided, with some difficult decisions to be taken.
- Further general concern over the risk of having to return RTB receipts, grants and other external capital funding due to slippage in capital programmes, and ensuring that such risk was effectively monitored, and action taken to avoid the risk.
- Concern over lack of explanatory commentary from service leaders in relation to, often significant, variances in the detailed service summary (Appendix 2 to the report). The Director of Resources accepted that more detailed commentary was required but noted that the lack of information had partly been due to the need to restructure the salary budget allocation following the recent salary restructure arising from Future Guildford Phase B.
- Concern over consistent slippage and significant underspend within capital projects in general.

Having considered the report, the Committee

RESOLVED: That the results of the Council's financial monitoring for the period April to June 2021 be noted, subject to the corrections set out on the Supplementary Information Sheet.

Reason:

To allow the Committee to undertake its role in relation to scrutinising the Council's finances.

**CGS25    EXTERNAL AUDIT PLAN 2020-21**

The Council's external auditors, Grant Thornton, had prepared their annual audit plan for 2020-21, which was attached to the report submitted to the Committee. The plan detailed the scope of the audit and the programme of work that Grant Thornton intended to carry out during 2020-21, the approach they would adopt and significant risks that they would review as part of the audit.

Pages 25 and 26 of the audit plan detailed the fee that Grant Thornton would charge in respect of the external audit of the Council. The scale fee for the core audit, which was published by Public Sector Audit Appointments (PSAA) Ltd of £44,300, had not changed since 2018-19. However, the Financial Reporting Council (FRC) had set out its expectation

of improved financial reporting from organisations and the need for auditors to demonstrate increased scepticism and challenge and to undertake additional and more robust testing.

Within the public sector, where the FRC had recently assumed responsibility for the inspection of local government audit, the regulator required that all audits achieve a 2A (few improvements needed) rating. This had led to additional work being required. The revised fee for 2020-21 would therefore be £80,300 for the core audit. A further fee of £24,000 was estimated in respect of the audit of grant claims.

PSAA were responsible for appointing an auditor to principal local government and police bodies that had chosen to opt into its national auditor appointment arrangements. At its meeting on 6 December 2016, the Council resolved to opt-in to the appointing person arrangements made by PSAA. Grant Thornton UK LLP had been successful in winning a contract in the procurement process and were recommended by PSAA as the Council's auditors for a period of 5 years from 2018-19. This appointment was made under Regulation 13 of the Local Audit (Appointing Person) Regulations 2015, and was approved by the PSAA Board at its meeting on 14 December 2017 and by Council on 10 April 2018.

PSAA had recently consulted on their draft prospectus for public sector audit from April 2023. As part of the exercise the Council would need to decide in the autumn if it wished to be part of the national procurement exercise or whether it wished to undertake its own procurement exercise and set up an independent auditor appointment panel.

In considering the audit plan, some concern was expressed regarding the increase in the audit fee. In response to a request for an update on progress with the current audit of accounts, the Director of Resources reported that it was anticipated that the draft accounts would be published in September and the timescale for the completion of the audit would be discussed with Grant Thornton at that time.

Having considered the external audit plan, the Committee

RESOLVED:

That the external audit plan submitted by Grant Thornton, attached as Appendix 1 to the report submitted to the Committee, including the audit fee set out on page 25, be approved.

Reason:

To enable the Committee to consider and comment on the planned audit fee, work programme and update report.

## **CGS26 WORK PROGRAMME**

The Committee considered its updated 12 month rolling work programme and noted that the next meeting of the Committee, would be held on 23 September 2021, as originally planned and that the "Draft 2020-21 Statement of Accounts" item listed on the work programme for the September meeting should be deleted.

In considering the work programme, the Committee considered the suggestion made earlier in the meeting that the Committee holds informal, private meetings with the Council's internal and external auditors. It was suggested that the first of such meetings could be held immediately prior to the Committee meeting scheduled for 24 March 2022.

The Committee also discussed how it could better monitor expenditure on:

- (a) Housing Capital Schemes to avoid repayment of RTB receipts to the Government,
- (b) Capital schemes funded by S106 contributions

- (c) Any other capital schemes reliant on grant funding which might need to be returned if monies are not spent within a specified timeframe.

The Committee

RESOLVED: That the updated 12 month rolling work programme, as set out in Appendix 1 to the report submitted to the Committee, be approved.

Reason:

To allow the Committee to maintain and update its work programme.

The meeting finished at 8.50 pm

Signed .....

Date .....

Chairman

## Financial Monitoring Report (April to July 2021)

	2021-22 £000	2022-23 £000	2023-24 £000	2024-25 £000	2025-26 £000	2026-27 £000	2027-28 £000
	<b>Reconciliation of Spend to RTB (DELTA MHCLG)</b>						
a			1,140	2,167	708	1,996	2,056
b	0	0	2,851	5,418	1,771	4,992	5,142
c	5,874	10,716	6,117	1,400	400	0	0
d	6,933	17,649	23,766	25,166	25,566	25,566	25,566
e	2,350	4,286	2,447	560	160	0	0
f	2,350	6,636	7,943	6,336	5,788	3,792	1,736
g			<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## **Protocol on the appointment, role, status, rights and obligations of Honorary Freemen and Honorary Aldermen as approved by Council on ~~10 April 2014~~ 5 October 2021**

The Council may, in accordance with Section 249 of the Local Government Act 1972, and the provisions of this protocol, admit a person of distinction as an honorary freeman of the borough in recognition of their eminent services to the borough; or confer the title of honorary alderman upon a past member of the Council in recognition of their eminent services to the Council.

### **1. Procedure for nomination and appointment**

- a) Any person nominated for appointment as honorary freeman or honorary alderman must be proposed by a serving councillor and seconded by at least one other councillor. ~~and any s~~Such nomination must be put to the Democratic Services and Elections Manager in writing.
- b) The nomination referred to in a) above shall provide evidence that the person nominated:
  - (i) meets the eligibility requirements referred to in paragraph 2 of this protocol, and
  - (ii) will accept the appointment

(The 'person' nominated in respect of an appointment as honorary freeman may be an organisation.)
- c) Upon receipt of a nomination, the Democratic Services and Elections Manager shall prepare a report for the next appropriate ordinary Council meeting which shall set out details of the nomination and invite the Council:
  - (i) to give formal consideration to the nomination and
  - (ii) if so minded, to agree to arrange a meeting of the Council specially convened for the purpose of either admitting the nominee as an honorary freeman of the borough or conferring upon the nominee the title of honorary alderman, as appropriate.
- d) The formal admission of a person of distinction as an honorary freeman or conferment of the title of honorary alderman upon a past member of the Council shall be by a resolution of the Council passed by not less than two thirds of the councillors present and voting thereon.

### **2. Qualifications required for appointment**

#### Honorary Freeman

A person shall be deemed eligible for appointment as an honorary freeman provided that they meet ~~all of~~all the following requirements:

The person shall:

- be a person of distinction
- have given eminent service to the borough ~~during that~~ for a substantial period. “Eminent service” in this context includes but is not limited to any of the following:
  - public service (including past distinguished service as a councillor or officer of the Council)
  - artistic and/or cultural endeavours
  - business, economic growth and prosperity
  - charitable work
  - improvement to the built and natural environment
  - political activities
  - religious and spiritual life
  - sporting activities
- have a strong and continuing connection with and commitment to the borough of Guildford, or have made a major contribution to national life and in doing so have enhanced the reputation of the borough

#### Honorary Alderman

A person shall be deemed eligible for appointment as an honorary alderman provided that they meet all of the following requirements:

The person shall:

- not be a serving councillor
- have served as a Guildford Borough councillor for an aggregate total period of at least ~~8~~ 12 years
- have given eminent service to the Council during that period. “Eminent service” in this context includes but is not limited to holding during their period of service as a councillor any of the following offices:
  - Mayor
  - Leader of the Council
  - Executive member/Lead Councillor
  - committee chairman

### **3. Rights and Privileges**

#### Honorary Freeman

An honorary freeman shall be entitled to the following rights and privileges:

- To enjoy the courtesy title of Honorary Freeman and to be so addressed.
- To have their name inscribed on the "Roll of Honorary Freemen of the Borough" kept at the Guildhall.
- To wear the robes of an honorary freeman at meetings of the Council held at the Guildhall and on other appropriate civic occasions and processions.

- To enjoy such other privileges as the Council may confer upon them from time to time.

#### Honorary Alderman

An honorary alderman shall be entitled to the following rights and privileges:

- To enjoy the courtesy title of Honorary Alderman and to be so addressed.
- To have their name inscribed on the "Roll of Honorary Aldermen of the Borough" kept at the Guildhall.
- To wear the robes of an honorary alderman at meetings of the Council held at the Guildhall and on other appropriate civic occasions and processions.
- To enjoy such other privileges as the Council may confer upon them from time to time.

#### **4. Restrictions on rights and privileges**

~~The restrictions set out in this part of this protocol apply only when the person concerned acts in their capacity as an honorary freeman or honorary alderman, as appropriate.~~

#### Honorary Freeman

Honorary freemen will be expected to conduct themselves in such a manner so as to not bring the office of honorary freeman or the Council into disrepute. ~~nor to use the title or allow it to be associated with any matter of public controversy or any matter which is in any way political in nature. The Council also expects honorary freemen to refrain from making public statements which are critical of the Council.~~

#### Honorary Alderman

The role of Alderman is an honorary one, but to the public is perceived to be representative of the Council. Part of this perception is historic and part because in the City of London the role of an Alderman is very active.

In taking up this role all Aldermen must agree and adhere to the protocol laid down by this Council. There are three key points:

- (1) That the person becoming an Alderman does so in the full knowledge that they are perceived to be representative of the civic element of the Council and must act to the highest standards.
- (2) ~~In taking this role, the Alderman becomes apolitical in public; knowing that any views expressed may be interpreted as views of the Council.~~ Aldermen are not to speak on behalf of the Council in any way whatsoever.
- (3) The Alderman is to seek to use the honorary title for civic events, which should be attended wherever possible, and in the furtherance of community activities for the benefit of society.

The role is an honour bestowed by Full Council and the recipient is aware that this honour can also be removed, either through transgression of this protocol or because the individual wishes to ~~engage or~~ re-engage in an active political agenda (see section 5 below).

Section 249 of the Local Government Act 1972 provides that:

- (i) whilst an honorary alderman may attend and take part in such civic ceremonies as the Council may from time to time decide, they shall not, as such, have the right
  - to attend meetings of the Council or a committee of the Council in any capacity other than as a member of the public; or
  - to receive any allowances or other payments as are payable to councillors.
- (ii) No honorary alderman shall, while serving as a councillor, be entitled to be addressed as honorary alderman or to attend or take part in any civic ceremonies of the council as an honorary alderman.

Honorary aldermen will be expected to conduct themselves in such a manner so as to not bring the office of honorary alderman or the Council into ~~disrepute-disrepute, nor to use the title or allow it to be associated with any matter of public controversy or any matter which is in any way political in nature. The Council also expects honorary aldermen to refrain from making public statements which are critical of the Council.~~

## 5. Withdrawal of honorary titles

- a) The offices of honorary freeman and honorary alderman are awarded for eminent service to the Borough and Council, respectively, and are deemed by the Council to be non-political roles. ~~As such, the Council considers that it is inconsistent for an honorary freeman or honorary alderman to be politically active.~~ In the event of an honorary freeman or honorary alderman seeking election to the Council, or to any other principal local authority, or to Parliament ~~or the European Parliament~~, he or she shall cease to hold the office of honorary freeman or honorary alderman (as the case may be) if he or she is still standing as a candidate immediately following the deadline for withdrawal of candidature.- At that time, the entitlement to the rights and privileges referred to in paragraph 3 of this protocol shall cease automatically. The Democratic Services and Elections Manager shall delete the name of the person concerned from the Roll of Honorary Freemen of the Borough or Roll of Honorary Aldermen of the Borough, as appropriate, and advise that person accordingly.
- b) If this protocol is breached and Subject-subject to paragraph f) below, the Council may withdraw the title of honorary freeman or honorary alderman ~~from~~ on a person, together with the associated rights and privileges. ~~The question as to whether the respective title should be withdrawn-The proposal to withdraw a title~~ shall be put by way of formal notice of motion, which must be submitted to the Monitoring Officer. The motion shall contain the reasons for such withdrawal. The Monitoring Officer shall ensure that the motion is included on the agenda for the next available meeting of the full Council. The formal withdrawal of the title of honorary freeman or honorary alderman from a person shall be confirmed only following a resolution of the Council passed by not less than two-thirds of the councillors present and voting thereon.

- c) The honorary freeman or honorary alderman who is the subject of a motion referred to in paragraph b) above shall be entitled, if they wish, to make representations to the Council when the motion is considered, for which they shall have five minutes immediately following the proposer and seconder's speeches. The honorary freeman or honorary alderman shall be granted a right of reply for a further period of five minutes at the end of the debate and before a final decision or vote is taken.
- d) On the passing of such resolution in accordance with paragraph b) above, the Democratic Services and Elections Manager shall delete the name of the person concerned from the Roll of Honorary Freemen of the Borough or Roll of Honorary Aldermen of the Borough, as appropriate, and advise that person accordingly.
- e) ~~Notwithstanding paragraph a) above, a person appointed as an honorary alderman and subsequently re-elected as a councillor before the adoption of this protocol by the Council shall be entitled to be known as an honorary alderman once they cease to be a councillor. In all other cases, any~~ Further to paragraph a) above, any person appointed as an honorary freeman or honorary alderman, who is ~~not elected or re-elected~~ ~~subsequently re-elected as a councillor~~ shall not automatically ~~re-assume~~ the title and status of honorary freeman or honorary alderman. ~~once they cease to be a councillor.~~ The Council may, however, re-confer such title on the person concerned.
- f) Before the Council considers the formal withdrawal of an honorary title from an individual whom, it is alleged, has transgressed this protocol, the Monitoring Officer shall, subject to being satisfied that there is evidence of such transgression, contact them to remind them of the protocol and warning them that they risk censure by the Council and possible withdrawal of their title.

## 6. Resignation from the office of honorary freeman or honorary alderman

- a) An honorary freeman or honorary alderman may, at any time, ~~tender their resignation~~ resign from their office. ~~respective offices of honorary freeman or honorary alderman which.~~ The resignation shall be given in writing to the Democratic Services and Elections Manager.
- b) Upon receipt by the Democratic Services and Elections Manager of the written notice of resignation referred to in a) above, the entitlement to the rights and privileges described in paragraph 3 of this protocol shall cease automatically. The Democratic Services and Elections Manager shall delete the name of the person concerned from the Roll of Honorary Freemen or the Roll of Honorary Aldermen of the Borough, as appropriate.

A copy of this protocol shall be sent to all honorary freemen and honorary aldermen and shall be posted on the Council's website.