

**Honorary Alderman - Exceptional Award of Status**

<b>Final Decision-Maker</b>	Council
<b>Lead Head of Service</b>	Angela Woodhouse, Head of Policy, Communication and Governance
<b>Lead Officer and Report Author</b>	Ryan O'Connell, Democratic and Electoral Services Manager
<b>Classification</b>	Public
<b>Wards affected</b>	All

**Executive Summary**

A request has been received to consider the award of Honorary Alderman status to former Councillor Wendy Hinder. The award would not meet the Honorary Alderman protocol as set out in the Constitution, however, there are exceptional circumstances that the Committee are asked to consider.

**Purpose of Report**

For recommendation to Council

**This report makes the following recommendations to this Committee:**

1. That Council be recommended to agree that exceptional circumstances apply in the case of former Councillor Wendy Hinder's consideration for Honorary Alderman status and be recommended to grant an exception to protocol in this particular case; and
2. That ahead of that Council decision, officers be requested to take practical steps for an award forwards on an exceptional case basis such that it is ready for consideration at a special Council meeting held for that purpose in late 2021.

**Timetable**

<b>Meeting</b>	<b>Date</b>
Democracy and General Purposes Committee	27 July 2021
Council	29 September 2021
Extraordinary Council	TBC

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### 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	The recommendations will not materially affect achievement of corporate priorities.	Democratic and Electoral Services Manager
<b>Cross Cutting Objectives</b>	The recommendations will not materially affect achievement of cross cutting objectives.	Democratic and Electoral Services Manager
<b>Risk Management</b>	Refer to paragraph 5 of the report. All risks are within the Council's risk appetite.	Democratic and Electoral Services Manager
<b>Financial</b>	The financial implications of the decision are the small costs associated with following the Honorary Alderman Protocol, these can be met from within existing budgets.	Section 151 Officer & Finance Team
<b>Staffing</b>	None	Democratic and Electoral Services Manager
<b>Legal</b>	Section 249 of the Local Government Act 1972 sets out the Council's powers regarding the award of Honorary Alderman status – the recommendations are in line with that section.  Further the Council has an adopted an Honorary Alderman protocol and the report seeks consideration for exceptional circumstances to be applied. As the protocol forms part of the Constitution this will need to be agreed by Council.	Principal Solicitor Contentious and Corporate Governance
<b>Privacy and Data Protection</b>	None	Democratic and Electoral Services Manager
<b>Equalities</b>	None	Democratic and Electoral

		Services Manager
<b>Public Health</b>	None	Democratic and Electoral Services Manager
<b>Crime and Disorder</b>	None	Democratic and Electoral Services Manager
<b>Procurement</b>	None	Democratic and Electoral Services Manager
<b>Biodiversity and Climate Change</b>	None	Democratic and Electoral Services Manager

## 2. INTRODUCTION AND BACKGROUND

2.1 A request has been received for the Council to consider conferring the title of Honorary Alderman on former Councillor Wendy Hinder. Sadly, Mrs Hinder passed away whilst in office as Deputy Mayor of Maidstone in February 2020 after serving on the Council for 15 years and 9 months.

2.2 The Council's adopted protocol for the appointment of Honorary Aldermen sets out that:

1. The title of Honorary Alderman can only be conferred to a past member of this authority.
2. Honorary Aldermen must have served 16 years in total, on aggregate, on the Council. When aggregating terms, the same principle will be used when determining precedence as for the Mayoralty, i.e. if there is a break of not more than four years between terms the service can be aggregated.
3. An Honorary Alderman must have demonstrated an exemplary contribution to the Borough during their time served as a Councillor.
4. Honorary Aldermen cannot be appointed posthumously

2.3 These criteria are not set by legislation and were set locally by the Council in adopting its protocol in September 2018.

2.4 In this case an appointment would meet the first criterion but would not meet criteria 2 and 4 as it would for a slightly shorter time and be a

posthumous award. It is for this Committee and ultimately Council to determine criterion 3.

- 2.5 Although the appointment does not meet all the criteria, there are exceptional circumstances that need to be considered. Had Mrs Wendy Hinder not died in office she would have gone on to meet the 16 years threshold (criterion 2) and would have been Mayor of Maidstone. That then means that Mrs Hinder would have been a past Mayor with the civic status that brings. The Honorary Alderman status affords the recipient an equivalent civic status, with, for example, invitations to the same civic events and a name on a roll of honour in the Town Hall.
  - 2.6 Given this it is recommended that rather than refuse the request, or rewrite what was a carefully considered protocol, the Committee agree that exceptional circumstances apply and instruct officers to proceed with the nomination for Honorary Alderman. Ultimately, Council will need to agree both the exceptional status of the award to break from protocol at an ordinary meeting, and separately the award of the status at an extraordinary Council meeting.
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### **3. AVAILABLE OPTIONS**

- 3.1 Option one (recommended) – to agree that exceptional circumstances apply, make an appropriate recommendation to Council to allow an exception to its Honorary Alderman protocol, and officers continue with the process as for an Honorary Alderman appointment with the decision on the award ultimately being for Council.
  - 3.2 Option two – to consider amending the protocol such that the time period is less than 16 years and awards can be made posthumously with an appropriate recommendation to Council, and officers continue with the process as for an Honorary Alderman appointment with the decision on the award ultimately being for Council.
  - 3.3 Option three – to deny the request on the basis that it does not meet the Council's adopted Honorary Alderman protocol.
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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 Option one is recommended for the reasons set out in part 2 of this report.
- 4.2 Whilst the circumstances in respect of former councillor Wendy Hinder do not meet the criteria for an award under the adopted protocol there are exceptional factors that apply. Therefore option 3 is not recommended.
- 4.3 Option two is not recommended as a significant amount of work by this Committee and others went into forming the existing protocol. It is therefore felt more appropriate to consider the specific circumstances of this case and determine whether it should go ahead.

## **5. RISK**

- 5.1 There is a risk of challenge to the Council's decisions to apply exceptional circumstances to existing protocol. However, given the nature of the case and the award this seems unlikely. Risk mitigation is to ensure that proper process is followed in decision making.
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## **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 None
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## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 If the recommendations are agreed a reference will go to Council in September 2021 requesting that they agree exceptional circumstances.
- 7.2 Officers will progress the consideration of the award of Honorary Alderman status and make the necessary arrangements for it to be able to be properly considered by Council. For example, speaking to relevant Members about whether to bring forward a motion at a special Council meeting.
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## **8. REPORT APPENDICES**

None

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## **9. BACKGROUND PAPERS**

Protocol for the Appointment of Honorary Aldermen – Maidstone Borough Council Constitution – Dated May 2021