County Council  
24 July 2013  
Honorary Aldermen

Report of the Constitution Working Group  
Colette Longbottom, Head of Legal and Democratic Services  
Councillor Simon Henig, Leader, Durham County Council

Purpose of the Report

1. To advise the Council of the recommendation of the Constitution Working Group in relation to conferring the title of Honorary Aldermen and to seek Council’s approval to adopt proposed criteria.

Background

2. Under Section 249 of the Local Government Act, the Council may by resolution, passed by not less than two-thirds of the Members voting at a special meeting of the Council, confer the title of Honorary Aldermen/Honorary Alderwomen, on persons who have, in the opinion of the Council, rendered eminent service to the Council as past Members of that Council, but who are not then Members. It is not therefore possible to award the title to current Councillors.

3. As part of the transition arrangements for Local Government review, provision was made in the Local Government (Structural Changes) (Transitional Arrangement) (No.2) (Regulations) 2008 which allowed the former district councils to confer the title on past or serving Members before those councils ceased to exist. These arrangements were, however, unique to the circumstances of LGR and the title can now only be conferred on past Members of this Council.

4. In the transition period for Local Government Reorganisation, and having regard to the circumstances referred to in paragraph 3 of this report, some of the former borough/district councils conferred the title of Aldermen on existing Members. The table below refers to each former District, the number of Aldermen created and the basis for doing so.

<table>
<thead>
<tr>
<th>Chester-le-Street</th>
<th>10 Councillors (4 of which were elected to Durham County Council in the 2008 elections for 1 former District Councillor)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Derwentside District Council</td>
<td>34 Councillors – who fulfilled the criteria as presented in the table detailed in paragraph 10</td>
</tr>
<tr>
<td>City of Durham Council</td>
<td>13 Councillors who had served for a period of 15 years or more.</td>
</tr>
<tr>
<td>Council/Authority</td>
<td>Criteria</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>---------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Durham County Council</td>
<td>1 Councillor who had served for 14 years following the amendment of their policy prior to LGR</td>
</tr>
<tr>
<td></td>
<td>17 Councillors who had served for a period of 11 years or more</td>
</tr>
<tr>
<td>District of Easington</td>
<td>2 serving District Councillors (with a combined 32 years’ service)</td>
</tr>
<tr>
<td></td>
<td>2 former District Councillors (each with 31 consecutive years’ service)</td>
</tr>
<tr>
<td>Sedgefield Borough Council</td>
<td>22 Councillors (7 of which were elected to Durham County Council in the 2008 elections)</td>
</tr>
<tr>
<td>Teesdale District Council</td>
<td>20 Councillors in accordance with a policy adopted by the Council (must have served a minimum of three terms)</td>
</tr>
<tr>
<td>Wear Valley District Council</td>
<td>No new criteria was agreed and no new titles were conferred</td>
</tr>
</tbody>
</table>

5 The title is not allowed to be used by anyone whilst serving as a Member of the Council, nor is an Alderman or Alderwoman entitled to attend or take part in any of the Council’s Civic Ceremonies of the Council as an Alderman or Alderwoman.

6 Services rendered to the Council of an existing County, Borough, District or Urban or Rural District, the area of which becomes wholly or partly included in a new County or District, shall be treated as services rendered to the new Council.

7 An Honorary Alderman is entitled to attend and take part in such Civic Ceremonies as the Council may, from time to time, decide, but shall not have the right to:-

   (a) Attend meetings of the Council or Committees of the Council (except as a member of the public); or have the right to influence meetings of the Council or a Committee of the Council; or

   (b) Receive allowances or payments under Sections 173 to 176 of the Local Government Act 1972 (travelling allowance, subsistence allowances, allowances for attending conferences, payment of expenses of official and courtesy visits).

8 Traditionally, any invitations to Civic Ceremonies to Honorary Aldermen has been left to the discretion of the serving Chairman of the Council and over recent years Honorary Aldermen have been invited to participate in the Chairman’s Christmas lunch. Honorary Aldermen are also invited to each meeting of the County Council, which normally attracts up to a dozen Aldermen.
The Council may spend such reasonable sum as it thinks fit for the purposes of presenting an address or a casket containing an address to a person on whom they have conferred the title. The County Council has presented a framed certificate on whom they have conferred the title.

**Pre LGR Former District Council Arrangements**

Leaving aside the unique arrangements arising from the transition to Local Government Review, the position in relation to the former Borough/District Councils and the County Council in 2009 are set out in the table below:-

<table>
<thead>
<tr>
<th>Chester-le-Street District Council</th>
<th>Did not appear to have appointed any Aldermen until criteria was visited as part of the transitional arrangements during LGR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Derwentside District Council</td>
<td>The member was required to have:</td>
</tr>
<tr>
<td></td>
<td>(i) Served three full consecutive terms as a Councillor (i.e. 12 years) or from May 1999; <strong>and</strong></td>
</tr>
<tr>
<td></td>
<td>(ii) Held a senior position within the Council i.e. as Chairman; Leader (of the majority or main opposition); Deputy Leader (of the majority or main opposition); Chair of a committee/ scrutiny panel; portfolio holder;</td>
</tr>
<tr>
<td></td>
<td><strong>or;</strong></td>
</tr>
<tr>
<td></td>
<td>(iii) Served five full terms consecutively (i.e. 20 years) or from May 1991;</td>
</tr>
<tr>
<td></td>
<td>(iv) Not (at the time) be elected to Durham County Council.</td>
</tr>
<tr>
<td>City of Durham Council</td>
<td>The Member was required to have served 15 years or more cumulative service on the Council at termination of office.</td>
</tr>
<tr>
<td>Durham County Council</td>
<td>Had no specific policy but adopted an approach whereby a Member should have served for a minimum of three consecutive terms (normally twelve years) before being considered for conferring the title. Breaks in service did not qualify. The Council did make an exception to this, however in 2008.</td>
</tr>
<tr>
<td>District of Easington</td>
<td>Agreed a policy in 1995 to confer the title on Members who had served for 25 continuous years or more.</td>
</tr>
<tr>
<td>Sedgefield Borough Council</td>
<td>Awarded the title to past Members of the Council or its former constituent Rural and Urban District authorities, who had served for 25 continuous years or more.</td>
</tr>
<tr>
<td>Teesdale District Council</td>
<td>Conferred the title sparingly (only awarded it seven times in 35 years existence). The last five title were conferred between 1994 and 2003 were on Members who had had at least 25 years service - although this</td>
</tr>
</tbody>
</table>
was not a set criteria.

| Wear Valley District Council | No minimum length of service was required but the title was conferred sparingly. |

11 The Constitution Working Group considered this subject on the 8th July and was of the view that the Council should confer titles on past Members who have rendered eminent service, and considered also the period to recommend for adoption, the mark of that service.

12 It also considered whether additional criteria should be used over and above years served.

13 The group considered the options for possible additional criteria being:-

(a) Polite and courteous conduct in the Council meetings;
(b) A key role in achieving a significant Council objective;
(c) Having had no disciplinary sanctions resulting from breaches of the Code.
(d) Having held a senior position on the Council.

14 It also considered the advantages of such criteria being as follows:-

(a) It avoids the possibility of an Honorary Title being conferred on Members whose efforts in Office may not warrant it;
(b) It renders the Honorary Title more valuable, in that it is not simply earned through the passage of time;
(c) In a Council of 126 Members, it avoids the possibility of a proliferation of many Aldermen following an election.

15 The group considered the disadvantages of such criteria being:-

(a) It may be regarded as vulnerable to subjective assessment or partisan interpretation;
(b) The purpose of the power is arguably to show respect and appreciation to people who have been voted into Office for a number of years to serve their community. Such a process could be marred by partisan debates in judgement of the quality of the service of the Member concerned;
(c) Members may consider that the repeated re-election of the prospective candidate for title, by the electorate, is sufficiently objective criteria.

16 The group reached the conclusion that vulnerability of such criteria to objective assessment and the risk of the process being marred by partisan debate were significant disadvantages, and accepted the premise that the repeated re-election of prospective candidates for title, by the electorate, should be sufficiently objective criteria for conferring the title.

17 Having considered this issue, the group recommends that a period of sixteen years (be it consecutive or otherwise) being the equivalent of four Council terms, was an appropriate basis as a mark of eminent service.
The group also considered the process for conferring titles.

The Process

There needs to be a specially convened meeting at which two-thirds of the Members voting agree to confer the Titles.

On the face of it, this will involve the following:-

(i) Council is asked to agree the basis of conferring the Title;
(ii) The Council will need to agree upon whom the Title should be conferred;
(iii) There needs to be a special meeting where a resolution is passed by not less than two thirds of the Members present and voting.

This would involve technically three separate Council meetings. It would, however, be possible to achieve this in two, rather than three separate dates, by:-

(i) The Council agrees the basis for conferring titles;
(ii) At a subsequent Council meeting, there is an agenda item which involves considering a list of proposed Honorary Aldermen for consideration and determination;
(iii) A special meeting takes place immediately after that meeting to confer Titles.

The group was content to agree with a process whereby the special meeting takes place immediately after a standard Council meeting, and that that meeting should be the meeting immediately before Christmas, (which will be the 4th December).

Recommendation

Council is asked to adopt:-

(i) The criteria of 16 years (whether consecutive or otherwise), as a mark of eminent service for past Members (such service to include periods served on former District Councils and the pre unitary County Council);
(ii) That there be no additional criteria as a mark of eminent service;
(iii) That Council agrees that the special meeting required to confer the title, will be held after the Council meeting immediately prior to Christmas (4 December 2013).

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Appendix 1: Implications

**Finance:** There will be the cost of agendas and calling of a special meeting including Councillor travelling expenses. Holding the special meeting on a date already scheduled for a Council meeting will reduce these costs. The overall costs can be met from within existing budgets.

**Staffing:** None specific within this report

**Risk:** None specific within this report

**Equality and Diversity/Public Sector Duty:** None specific within this report

**Accommodation:** None specific within this report

**Crime and Disorder:** None specific within this report

**Human Right:** None specific within this report

**Consultation:** None specific within this report

**Procurement:** None specific within this report

**Disability Discrimination Act:** None specific within this report

**Legal Implications:** Within the report