

Honorary Aldermen Nominations Committee

Time and date of Meeting: 3.00 pm, Thursday 25 July 2024

Venue: GF 03 - Town Hall, Library Street, Wigan, WN1 1YN

Agenda

- 1 Apologies for Absence:**
Members are requested to advise the Democratic Services Officer of any apologies for this meeting.
- 2 Urgent Business (if any):**
To be accepted at the discretion of the Chairman of the meeting.
- 3 Declarations of interest:**
To receive declarations of interest in any item for discussion at the meeting. A blank form for declaring interests has been circulated with the agenda. Please ensure that this is returned to the Democratic Services Officer at the end of the meeting.
(Pages 3 - 8)
- 4 Appointment of Honorary Alderman**
Report of Assistant Director – Legal, Governance and Elections is attached.
(Pages 9 - 16)

Forthcoming Meetings

As and when required

Contact: Diane Adshead
Wigan Council, Democratic Services, Resources Directorate, Town Hall,
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Agenda profile for a meeting of the Honorary Aldermen Nominations Committee

The Council will appoint an Honorary Aldermen Nominations Committee to consider the future appointment of ex-Councillors as Honorary Aldermen.

What is the purpose of the Committee?

- to review the criteria for appointment of ex-Councillors as Honorary Aldermen and to make recommendations to Council on such criteria;
- to review any individuals who may reach the agreed criteria and to make recommendations to Council; and
- to agree the arrangements for Council approval of any recommendations.

Members of the Committee - Councillors

Labour	Independent Network
Chris Ready (Chairman) Kevin Anderson Dane Anderton Laura Flynn Yvonne Klieve Eunice Smethurst	Jamie Hodgkinson

From:

Janet Davies
Assistant Director Legal, Governance and Elections (Monitoring Officer)
Agenda Contact: Diane Adshead
Phone: 01942 827121

Wigan Council
Declaration of Interest Statement



To: Democratic Services Officer
 Resources Directorate

From Councillor _____
 (Block Capitals Please)

I intend to declare the interest(s) indicated below at the meeting of the..... to be held on

Agenda Item Number	Type of Interest - PERSONAL AND NON PREJUDICIAL Reason for declaration of interest	Type of Interest – PREJUDICIAL Reason for declaration of interest	Type of Interest – DISCLOSABLE PECUNIARY INTEREST Reason for declaration of interest

Signed.....

Date.....

Advice from the Monitoring Officer in relation to declaration of interests

Disclosable Pecuniary Interests (“DPIs”)

If a Member fails to take appropriate action in relation to a DPI, then Section 34 of the Localism Act provides that such failure may constitute a criminal offence, which on conviction may lead to a fine of up to £5,000 and/or disqualification from office for a period of up to 5 years.

Definition of Disclosable Pecuniary Interests

Section 30(3) of the Localism Act defines DPIs as being an interest of a description specified by the DPI Regulations which is either:

- (a) an interest of a Council member (“the Member”), or
- (b) an interest of:
 - (i) the Member’s spouse or civil partner,
 - (ii) a person with whom the Member is living as husband and wife, or
 - (iii) a person with whom the Member is living as if they were civil partners, where the Member is aware that the other person has the interest.

The attached table from the draft New Code describes those interests of Members and their partners which constitute DPIs (e.g. “any employment, office, trade, profession or vocation carried on for profit or gain”). The New Code advises Members of their statutory obligation under the Localism Act to notify the Council’s Monitoring Officer of any DPIs within 28 days of becoming a Member. The New Code also advises Members of their statutory obligation under the Localism Act in relation to non-participation where a Member is present at a meeting where they have a DPI in any matter that is being considered and that a failure to comply with the requirements of the New Code in relation to DPIs may constitute a criminal offence.

Other Registrable Interests/Personal Interests

In accordance with the Localism Act, the Council’s Member’s Code of Conduct requires members to register on one Register, a member’s interest, on any of the following from the Table from the Code..

The Code requires Members (in addition to notifying the Monitoring Officer of any DPIs in accordance with the requirements of the Localism Act and the New Code), to notify the Monitoring Officer of any “Personal Interests/any registrable interests.

Disclosure of Personal Interests

The draft New Code provides that where a Member has a Personal Interest in any Council business, and he/she attends a Council meeting at which the business is considered, the Member concerned must disclose to that meeting the existence and nature of his/her Personal Interest as soon as the Personal Interest becomes apparent. A Member must disclose a “Personal Interest” in any Council business where:

“a decision in relation to that business might reasonably be regarded affecting your well-being or financial position or the well-being or financial position of a *relevant person* to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral ward, affected by the decision”

The definition of “*relevant person*” is wider than “partner” and includes the Member’s wider family and close friends whose interests are not DPIs. Therefore, where a Member of the Council’s Planning Committee becomes aware that a decision in relation to a planning application involves a “*relevant person*” (such as a child or close friend of the Member), the draft New Code will require the Member to disclose this as a “Personal Interest” to the meeting, even though it does not constitute a DPI that must be disclosed under the Localism Act.

Non-participation in the case of Prejudicial Interests

As in the Current Code, where a Member has a “Personal Interest” in any Council business, then the Member will also have a “Prejudicial Interest” in that business where:

“the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and where that business –

- (a) affects your financial position or the financial position of a *relevant person*; or
- (b) relates to the determining of any approval, consent, licence, permission or registration in relation to you or any *relevant person*.”

Where a Member has a Prejudicial Interest, then the draft New Code provides that (subject to a number of specific exceptions), the Member must:-

- (a) Not participate in any discussion of the matter at the meeting;
- (b) Not participate in any vote taken on the matter at the meeting;
- (c) Disclose the Prejudicial Interest to the meeting (if it is not registered in the Register of Member’s Interests); and
- (d) Notify the Council’s Monitoring Officer of the Prejudicial Interest within 28 days (if it not if it is not registered in the Register of Member’s Interests and is not the subject of a pending notification).

As always, if any Member requires advice prior to the meeting regarding whether there is a need to declare an interest then please contact the Democratic Services Team.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the 12 month period prior to notification of the interest in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation Act) 1992 (a).
Contracts	<p>Any contract which is made between you or your partner (or a body in which you or your partner has a beneficial interest) and the Council -</p> <p>(a) under which goods or services are to be provided or works are to be executed: and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of Wigan Borough Council.
Licences	Any licence (alone or jointly with others) to occupy land in the area of Wigan Borough Council for a month or longer.
Corporate Tenancies	<p>Any tenancy where (to your knowledge) -</p> <p>(a) the landlord is the Council: and</p> <p>(b) the tenant is a body in which you or your partner has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where -</p> <p>(a) that body (to your knowledge) has a place of business or land in the area of Wigan Borough Council; and</p> <p>(b) either -</p>

- | | |
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| | <ul style="list-style-type: none">(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or your partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class. |
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This is an open report

Report to: Honorary Aldermen Nominations Committee

Date of Meeting(s): Thursday, 25 July 2024
Wednesday, 25 September 2024

Subject: Appointment of Honorary Alderman

Report of: Assistant Director – Legal, Governance and Elections (Monitoring Officer)

Contact Officer: 01942 927121

Cabinet Portfolio Holder and area: Councillor C Ready, Portfolio Holder for Communities and Neighbourhoods

Summary:

A nomination has been received for the Committee to consider the appointment of former councillor, John David O'Brien, for the position of Honorary Alderman of this Borough.

Link to Corporate Priorities:

Our Place: Together we are proud of our towns and look after our environment:

- An environment to be proud of
- Embracing Culture, Sport and Heritage

Wards Affected: None

Recommendation(s):

- (1) Based on the existing criteria, the Honorary Alderman Nominations Committee is requested to recommend to the Council, the position in relation to former councillor John David O'Brien, outlined within the report.
- (2) The Council is recommended to appoint the former member of the Council as recommended by the Honorary Alderman Nominations Committee.
- (3) Should the appointment be made, the Council is also recommended:-
 - to agree to hold a special meeting of the Council on 4 November 2024 at 2pm and
 - to approve the provision of appropriate refreshments in the Mayor's Parlour for the Honorary Alderman and invited guests to be hosted by The Mayor.

Implications:

What are the financial implications?

N/A

Is budget release necessary (Capital Expenditure Only)?

N/A

What are the legal implications?

N/A

What are the staffing implications?

N/A

Equality and Diversity Impact Assessment attached or not required because (please give reason). If not required, then a relevance check needs to be completed.

An equality and diversity impact assessment is not necessary see relevance check attached to the report.

What are the property implications in terms of reduction, addition or change to the council's asset base or its occupation?

None

What are the Corporate Parenting Implications?

N/A

Risks:

There are no risks identified

Sustainability/Environmental implications:

N/A

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?

Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?

Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council?

No

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

Not to appoint the nomination within the report.

There are no background papers for this report.

Directorate Sign-off:	Janet Davies
Date:	09 July 2024

Please list any appendices:

Appendix number or letter	Description

Background:

1 Existing Criteria

The Council at minute 23(b) (September 2012) approved the following criteria for the appointment of Honorary Aldermen.

(a) The person being considered no longer holds the position of Councillor. (If re-elected the holder must forfeit the title of Honorary Alderman for his/her period of office).

(b) The person must have served as a Councillor of the Metropolitan Borough of Wigan for an overall minimum period of 20 years.

(c) The person must have made a *significant contribution to the Council and the people it represents.

*Significant Contribution – A significant contribution must have been made in at least two of the following areas for an accumulated period of not less than ten years.

i Chair of Key Committee (Prior to Local Government Act 2000) or a Cabinet Member.

ii Mayor/Deputy Mayor.

iii Leading role on Council Panels/Committees e.g. Overview and Scrutiny, Best Value, Audit/Governance and Improvement Review.

iv Greater Manchester Districts' bodies – Greater Manchester Police Authority; Greater Manchester Fire Authority; Greater Manchester Passenger Transport Authority; Greater Manchester Waste Disposal Authority; Manchester Airport.

v Regional/National bodies e.g. North West Regional Assembly, Local Government Association.

vi Appointments to NHS bodies e.g. Acute Trust, Primary Care Trust, Patient and Public Involvement Forum.

vii Voluntary and community organisations e.g. CAB; CVS; DIAS; Wigan and Chorley Groundwork Trust.

viii Leading figure as Ward Councillor in the local community/township by virtue of posts held e.g. township forum, school governor; member of local charities; community forum; township community safety group.

(d) that a time limit of 12 months for acceptance of the position of Honorary Alderman is introduced and that if an appointment was not accepted within that timeframe, then the appointment be rescinded.

2 To consider the appointment of the former councillor, John David O'Brien for the position of Honorary Alderman of this Borough based on the criteria listed below.

(1) John David O'Brien, meets the criteria on the following grounds:

- He is an ex councillor;
- He has served on the council for over twenty years; and
- He has made a considerable contribution to the council and the people it represents in the following areas:
 - Mayor
 - Deputy Mayor
 - Chairman of Overview and scrutiny Select Committee no 4
 - Chairman of Economy, Environment, Culture and Housing Scrutiny Committee
 - Chairman of Confident Places Scrutiny Committee
 - Chairman of the Greater Manchester Joint Health Scrutiny Committee for 21 years
 - Representative on Bolton and District Post Office and Telecommunications Advisory Committees
 - Representative on North West of England and Isle of Man Reserve Forces and Cadet Association
 - Representative on SRB 3 / 4 'Investing in Opportunities' 2003 – 2004
 - Representative on Greater Manchester Fire and Rescue Authority
 - Representative on the Fire Committee
 - Representative on Fred Bradshaw Memorial Prize Fund
 - Representative on J.D. Speakman Prize Fund
 - Representative on William Collier Prize Fund
 - Representative on Leigh Sport Partnership
 - Representative on Leigh Town Centre Management Group
 - Representative on Yorkshire Purchasing Organisation
 - Representative on North West Strategic Scrutiny Network and Member Development Network
 - Representative on AGMA
 - Council for the Association
 - NHS Scrutiny Body
 - Scrutiny Pool
 - Greater Manchester Health Scrutiny Panel
- Former Councillor O'Brien was also a member of UNIFY Credit Union, Treasurer of LEIGH CLP for many years and through his role on the Local Government Committee he chaired many candidate selection meetings both within the Borough and beyond, He volunteered for many appeal panels and was the leading Director at Leigh South Community Centre for many years.

3 Proposals:

To consider the appointment of the former member of the council as an Honorary Alderman of this Borough

Relevance Check

Budget Reduction/Service Area: Legal, Resources Directorate

Service Lead: Janet Davies

Date: 09 July 2024

In what ways does this Budget reduction have an impact on an outward facing service? How will the service feel different to your customers or potential customers?

N/A

If not, how does it impact on staff e.g. redundancies, pay grades, working conditions? Why are you confident that these staff changes will not affect the service you provide?

N/A

Is a Customer Impact Assessment needed? No

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