

Special Council

1 February 2018

Agenda Item 3

Brighton & Hove City Council

Subject:	Freedom of the City		
Date of Meeting:	1 February 2018		
Report of:	Executive Lead for Strategy, Governance & Law		
Contact Officer:	Name:	Mark Wall	Tel: 01273 291006
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Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The purpose of this report is to give the Council the opportunity to consider whether to remove the honour of Freedom of the City from Aung San Suu Kyi pursuant to the joint motion agreed by Council on 14 December 2017.

2. RECOMMENDATIONS:

- 2.1 That Council consider the removal of the Freedom of the City of Brighton & Hove from Aung San Suu Kyi.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 At the meeting of Council on 14 December 2017 a joint motion from the Labour & Co-operative and Green Groups was agreed. This stated:

“This council resolves, in the light of continuing lack of protection of the human rights of the Rohingya people in Myanmar, many of whom are now refugees in Bangladesh, to remove at the earliest opportunity the Freedom of the City granted to Aung San Suu Kyi in 2011.”

- 3.2 The adoption of the motion in December did not, itself, remove the Freedom of City as it required the convening of a special council meeting. Following the approval of the motion, the Mayor confirmed that she would call a Special Meeting of the Council on the 1st February, 2018 to consider the proposal to remove the Freedom of the City from Aung San Suu Kyi. Accordingly this special meeting of Council is being convened to formally decide whether to remove the honour.
- 3.3 The Local Government Act 1972 Section 249 (5) (as amended by the Local Democracy, Economic Development and Construction Act 2009) enables the councils of cities to confer the status of honorary freeman on "(a) persons of distinction and (b) persons who have, in the opinion of the council, rendered eminent services to the local area". Aung San Suu Kyi was awarded the Freedom of the City at a Special Council meeting on 19 May, 2011 in recognition of her work as a pro-democracy campaigner and leader of the opposition National League for Democracy party (NLD) in Burma.

- 3.4 The Freedom of the City does not confer rights other than to attend formal Council meetings.
- 3.5 A special meeting of the Council can grant the Freedom of the City by passing a resolution:
- (a) at a meeting of the relevant authority which is specially convened for the purpose and where notice of the objective of the meeting has been given; and
 - (b) by not less than two-thirds of the members of the relevant authority who vote on it.

Removal of the Freedom of the City

- 3.6 In the absence of express statutory provision, the process to be followed for the formal removal of the honour is the same as the one for admitting a person to be an honorary freeman/woman of the city; i.e. you need to convene a special meeting of the Council and the proposal has to be supported by two-thirds of the Members voting. We understand that this is the procedure followed by the other English local authorities who resolved to remove the title of freedom of the city.
- 3.7 The Council is asked to consider the recommendation and the motion and to decide whether to remove the Freedom of the City. Should there not be the required two-thirds majority in favour of removing the freedom of the City then the status quo prevails and honour will not be removed.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The recommendation gives the Council the option of removing or not removing the title.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 There has been no community engagement, however the Leaders of the Groups have been consulted and a joint motion from the Labour & Co-operative and Green Groups was presented to the council meeting on the 14th December, 2017.

6. CONCLUSION

- 6.1 That the motion to remove the honour of the Freedom of City of Brighton and Hove is put before the council for consideration.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no financial implications resulting from the decision to either remove the honour or for it to remain.

Finance Officer Consulted: Nigel Manvell

Date: 23/01/18

Legal Implications:

- 7.2 Conferral of the Freedom of the City is a power that can be exercised by the City Council. The legislation is silent on the process for the removal, but an honour which can be conferred can subsequently be withdrawn if the conditions which merited the conferral are no longer met. The most appropriate procedure, which was also followed by other local authorities, is the same as the one for conferring the title of honorary freeman/woman under section 249 of the Local Government Act 1972.

Lawyer Consulted:

Abraham Ghebre-Ghiorghis

Date: 22/01/18

Equalities Implications:

- 7.3 The impact of a decision to remove the Freedom of the City from Aung San Suu Kyi is felt to demonstrate the council's view that all people have an equal right to life and the ability to live without persecution.

Sustainability Implications:

- 7.4 There are no sustainability issues arising from the report.

Any Other Significant Implications:

- 7.5 There are no other significant implications arising from the report as it is not anticipated that the removal of the honour would have any direct impact on either Aung San Suu Kyi or the Rohingya people.

SUPPORTING DOCUMENTATION

Appendices:

1. Extract from the proceedings of the Council meeting held on the 14th December, 2017.

Documents in Members' Rooms

None

Background Documents

None

