

**BRIGHTON & HOVE CITY
SPECIAL
COUNCIL MEETING**

3.00PM 1 FEBRUARY 2018

COUNCIL CHAMBER, HOVE TOWN HALL



AGENDA



**Brighton & Hove
City Council**

Council Meeting

Title:	Special Council
Date:	1 February 2018
Time:	3.00pm
Venue	Council Chamber, Hove Town Hall
Members:	All Councillors You are summoned to attend a meeting of the BRIGHTON & HOVE CITY COUNCIL to transact the under-mentioned business.
Contact:	Mark Wall Head of Democratic Services 01273 291006 mark.wall@brighton-hove.gov.uk

	<p>Public Involvement The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.</p> <p>Please note that the Public Gallery is situated on the first floor of the Town Hall.</p> <p>If you wish to attend a meeting but are unable to use stairs please contact the Democratic Services Team (Tel: 01273 291066) in advance of the meeting to discuss your access requirements. We can then work with you to enable your attendance and also to ensure your safe evacuation from the building, in the event of an emergency.</p>
	The Town Hall has facilities for disabled people including a lift and wheelchair accessible WCs. However in the event of an emergency evacuation use of the lift is restricted for health and safety reasons. Please refer to the Access Notice in the agenda below.
	An infra-red hearing enhancement system is available within the council chamber to assist hard of hearing people. Headsets and neck loops are provided. If you require any further information or assistance, please contact the receptionist on arrival.

This Agenda and all accompanying reports are printed on recycled paper

AGENDA

1 DECLARATIONS OF INTEREST

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

2 MAYOR'S COMMUNICATIONS.

To receive communications from the Mayor.

3 FREEDOM OF THE CITY

1 - 6

To consider a report of the Executive Lead for Strategy, Governance & Law (copy attached).

Contact Officer: Mark Wall
Ward Affected: All Wards

Tel: 01273 291006

4 CLOSE OF MEETING

The Mayor will close the meeting.

PUBLIC INVOLVEMENT

Provision is made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

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Therefore by entering the meeting room and using the seats around the meeting tables you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured they should sit in the public gallery area.

If you have any queries regarding this, please contact the Head of Democratic Services or the designated Democratic Services Officer listed on the agenda.

For further details and general enquiries about this meeting contact Mark Wall, (01273 291006, email mark.wall@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk.

ACCESS NOTICE

The public gallery to the council chamber – which is on the first floor – is limited in size but does have 2 spaces designated for wheelchair users. There is a lift to the first floor and an automatic door and ramped access to the public gallery. There is a wheelchair accessible WC close by. The seated spaces available in the gallery can be used by disabled people who are not wheelchair users.

The lift cannot be used for evacuation purposes so those unable to use the stairs to the public gallery can be seated at the rear of the council chamber on the ground floor should you wish to watch the meeting or need to take part in the proceedings, for example if you have submitted a public question.

Please inform staff on Reception if you have any access requirements so that they can either direct to the public gallery, or to the rear of the council chamber as appropriate.

We apologise for any inconvenience caused

COUNCIL

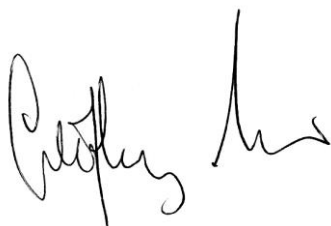
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- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and

Do not re-enter the building until told that it is safe to do so.

Date of Publication - Wednesday, 24 January 2018



Chief Executive
Hove Town Hall
Norton Road
Hove
BN3 3BQ

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
	Email:	Mark.wall@brighton-hove.gov.uk	
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

Subject:	Freedom of the City: Extract from the proceedings of the Council Meeting held on the 14 December, 2017		
Date of Meeting:	1 February 2018		
Report of:	Executive Lead for Strategy, Governance & Law		
Contact Officer:	Name:	Mark Wall	Tel: 01273 291006
	E-mail:	mark.wall@brighton-hove.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE***Action Required of the Council***

To receive the item referred from the Council for consideration.

Recommendations: That the Notice of Motion is noted and the proposal to remove the honour of the Freedom of the City from Aung San Suu Kyi be considered by the full Council at a Special Meeting.

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 14 DECEMBER 2017

COUNCIL CHAMBER - HOVE TOWN HALL

MINUTES

Present: Councillors Marsh (Chair), Simson (Deputy Chair), Allen, Atkinson, Barford, Barnett, Bell, Bennett, Bewick, Brown, Cattell, Chapman, Cobb, Daniel, Deane, Druitt, Gibson, Gilbey, Greenbaum, Hamilton, Hill, Horan, Hyde, Inkpin-Leissner, Janio, Knight, Lewry, Littman, Mac Cafferty, Meadows, Mears, Miller, Mitchell, Moonan, Morgan, Morris, Nemeth, A Norman, K Norman, O'Quinn, Page, Peltzer Dunn, Phillips, Robins, Russell-Moyle, Sykes, Taylor, C Theobald, G Theobald, Wares, Wealls, West and Yates.

PART ONE

59 NOTICE OF MOTIONS

(3) Remove Freedom of the City from Aung San Suu Kyi.

- 59.6 The Mayor noted that there was no provision in the constitution to address the removal of such an honour and therefore it was necessary to refer to the legislation for conferring the freedom of city, which required a special meeting to be held and for the motion to be carried by two-thirds of the votes cast. As such if the motion was passed, she was minded to call a Special meeting to be held on the 1st February 2018 prior to the next Ordinary Council meeting scheduled for that day.
- 59.7 The joint Notice of Motion as listed in the agenda was proposed by Councillor Morgan on behalf of the Labour & Co-operative and Green Groups and seconded by Councillor West.
- 59.8 The Mayor then put the following motion to the vote:
- “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 hold a Special Council meeting to consider the removal at the earliest opportunity of the Freedom of the City granted to Aung San Suu Kyi in 2011.”
- 59.9 The Mayor confirmed that the motion had been **carried unanimously**.