

# Birmingham City Council

## City Council

9 January 2024



**Subject:** Retention of Honorary Alderman Status  
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Does the report contain confidential or exempt information?  Yes  No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

### 1 Executive Summary

1.1 To consider a petition (set out in full in Appendix A) that:

“We, the undersigned, request the Lord Mayor to call an extraordinary general meeting of the council in accordance with Section 249 of the Local Government Act 1972 to remove from former Lord Mayor Mohammed Afzal the title and privileges of alderman and any other honorary titles and positions held with the council in the light of the ruling of the election court made on 24th February 2023. Following an election petition brought by Mr Afzal against the 2022 election result in the Aston ward, the judge stated that Mr Afzal *‘had the audacity to issue these proceedings in the knowledge that the allegations quite properly made by the respondents in the course of the election campaign were truthful.’*”

1.2 A copy of that judgment can be found at appendix B.

- 1.3 Due to the original meeting called on 18<sup>th</sup> May 2023 to consider the retention of Honorary Alderman status not going ahead, this meeting has been convened to consider this report.

## **2 Recommendation**

- 2.1 That the Council considers and votes individually on each of the following recommendations:
- 2.1.1 That Council reviews its policies in terms of the appointment and removal of the title of Honorary Alderman with a report to be brought back to Council to consider.
  - 2.1.2 That Council makes a recommendation to future Lord Mayors that former Lord Mayor Mohammed Afzal is not asked to undertake any official duties as the Lord Mayors Deputy.
  - 2.1.3 That Council makes a recommendation to future Lord Mayors that former Lord Mayor Mohammed Afzal should not attend any official events in his capacity as a former Lord Mayor.

## **3 Background**

- 3.1 Section 249 of the Local Government Act allows a Council to confer the title of Honorary Alderman on any former Lord Mayor, who in the opinion of that Council has rendered eminent services to the Council.
- 3.2 In order to bestow the title of Honorary Alderman a resolution must be passed by not less than two thirds of the members voting on it at a meeting of the Council specially convened for the purpose, usually by way of an extraordinary general meeting.
- 3.3 Birmingham City Council has instituted a Roll of Honorary Aldermen to which are admitted former Aldermen or Councillors of the City, the former City of Birmingham or the former borough of Sutton Coldfield who have:
- (a) Rendered a minimum of 15 years' service as a member of any of these Councils or
  - (b) Served for at least 12 years as a member of any of these Councils and given particularly notable service.
- 3.4 Following an extraordinary meeting held on 24 May 2022 it was resolved that the City Council admit Councillor Muhammad Afzal to the Roll of Honorary Aldermen.
- 3.5 Once admitted to the Roll of Honorary Aldermen, Honorary Aldermen are entitled to:

- The same parking privileges as Councillors
- A limited number of business cards
- A limited number of letterheads
- If attending City Council meetings, they may sit in the Honorary Aldermen's box

3.6 Whilst the petition has sought to remove the title of Honorary Alderman from former Councillor Mohammed Afzal, it is not proposed to consider this at this meeting pending the review of Council policies on both the appointment and removal of such titles (recommendation 1).

3.7 In terms of "*other honorary titles and positions*" these are covered at recommendations 2.1.2 and 2.1.3 and relate to Mohammed Afzal's role as a former Lord Mayor.

3.8 Whilst not a formal honorary title, former Lord Mayors may be asked to attend official engagements should both the Lord Mayor and the Deputy Lord Mayor not be available. When acting in such a capacity former Lord Mayors will be referred to as the "*Lord Mayors Deputy*" and will only act in that capacity for the duration of that engagement (recommendation 2).

3.9 In addition, former Lord Mayors may be invited to civic engagements (such as civic lunches) and it will be for Council to determine whether to make a recommendation that former Lord Mayor Mohammed Afzal should not attend official events in his capacity as a former Lord Mayor (recommendation 3).

#### **4. Response from Muhammed Afzal**

4.1 Following receipt of the petition, Muhammad Afzal was invited to submit representations in response by 19<sup>th</sup> April in order that the Council could take these into account when considering the petition.

4.2 Representations were subsequently received on 11<sup>th</sup> May 2023 and the Council's response of 2<sup>nd</sup> June 2023 and can be found at Appendix C.

4.3 Mr Afzal has not yet submitted any further representations, but in the interests of fairness he may do so at any time prior to the meeting

#### **5. Legal Implications**

5.1 The legal implications on the petition have been set out in appendix C.

## **6. Financial Implications**

6.1 There are no financial implications arising from this report.

## **7. Public Sector Equality Duty**

7.1 There are no equality implications arising from this report.