

Civic Sub-Committee

Agenda

Date:	Tuesday, 3rd August, 2010
Time:	10.00 am
Venue:	Committee Suite 1,2 & 3, Westfields, Middlewich Road, Sandbach CW11 1HZ

The agenda is divided into two parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a total period of 10 minutes is allocated for members of the public to address the Committee on any matter relevant to the work of the Committee.

Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers.

Members of the public should provide 3 clear working days notice, in writing, if they wish to ask a question at the meeting, in order for an informed answer to be given. It is not required to give notice of the intention to make use of public speaking provision, however, as a matter of courtesy, a period of 24 hours notice is encouraged.

4. **Minutes of Previous meeting** (Pages 1 - 4)

To approve the minutes of the meeting held on 9 February 2010 as a correct record.

For requests for further information

Contact: Paul Mountford

Tel: 01270 686472

E-Mail: paul.mountford@cheshireeast.gov.uk

5. **Honorary Aldermen and Freemen** (Pages 5 - 18)

To consider a report on matters relating to the Honorary Aldermen and Freemen of the Council who were admitted under the Local Government (Structural Changes) (Transitional Arrangements) (No2) Regulations 2008.

6. **Freedom of the Borough - 1st Battalion Mercian Regiment (Cheshire)**
(Pages 19 - 22)

To consider a report on the proposal to grant the Freedom of the Borough to the 1st Battalion Mercian Regiment (Cheshire).

7. **Flag Flying Policy** (Pages 23 - 28)

To consider a report on a flag flying policy for civic buildings in Cheshire East.

There are no Part 2 Matters

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Civic Sub-Committee**
held on Tuesday, 9th February, 2010 at The Board Room, Town Hall,
Macclesfield, SK10 1DX

PRESENT

Councillors H Davenport, T Beard (for Cllr Cartlidge), S Jones, A Kolker,
W Livesley, D Topping, A Moran and P Whiteley

Apologies

Councillor R Cartlidge

Officers

Brian Reed, Democratic Services Manager
Paul Jones, Democratic Services Team Manager
Paul Mountford, Legal and Democratic Services

1 APPOINTMENT OF CHAIRMAN**RESOLVED**

That Councillor Harold Davenport be appointed Chairman of the Sub-Committee.

(Councillor Davenport in the Chair)

2 DECLARATIONS OF INTEREST

Councillors Terry Beard, Arthur Moran, and Paul Whiteley declared personal interests, having been appointed honorary aldermen by their former authorities.

3 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present.

4 ELECTION OF MAYOR AND DEPUTY MAYOR

The Sub-Committee had been established primarily to consider alternative approaches to the election of the Mayor and appointment of the Deputy Mayor and to consider the adoption of a Mayoral Code of Practice.

Members considered a report outlining a number of alternative approaches to the Mayoral selection process. In the cases of many local authorities, the current year's Deputy Mayor automatically became the Mayor for the following year. This was often regarded as an ideal way in which the

incoming Deputy Mayor could gain experience of the office of Mayor prior to election. Where the Deputy Mayor automatically became Mayor for the following year, the focus shifted to the way in which the proposed Deputy Mayor was selected. Members agreed with this approach.

Members had before them a paper setting out a number of different approaches by North West local authorities and the demised authorities to the selection of the Deputy Mayor. These were based on such criteria as seniority (length of service), political proportionality or invitation by the Council's ruling group.

In debating the matter, Members generally felt that seniority was not the best approach. Very often, a senior Member was not interested in accepting the appointment or was not ideally suited to it. Younger or less experienced Members often brought enthusiasm and energy to the office and were able to engage with younger people. Members agreed, however, that normally, any candidate for the post should have a minimum of one full term's experience as a councillor. They also agreed on the need for all political groups to have an opportunity to be involved in the selection process.

Members also considered a draft Mayoral Code of Practice which could be adopted by the Council. A number of civic issues were referred to in the draft document. The Sub-Committee made various suggestions for incorporation in the draft document to be submitted to the Governance and Constitution Committee for consideration.

RESOLVED

That Council be recommended to agree that

- (1) each year, the Deputy Mayor will normally succeed to the Mayoralty in the following year;
- (2) each year, the Deputy Mayor will be chosen for appointment by Council by the political group which has the majority of Council Members, provided that in making such choice, another political group or groups may be invited to put forward a nomination for consideration by the majority group;
- (3) this approach be adopted in respect of the election of Mayor and appointment of Deputy Mayor for the 2010/2011 Civic Year and beyond; and
- (4) the draft Mayoralty Code of (Mayor and Deputy Mayor) Practice, as appended to the report, be adopted by the Council, as amended to reflect the above approach, and be incorporated into the Council's Constitution with such consequential amendments as the Borough Solicitor considers necessary to give effect to the wishes of Council.

5 HONORARY ALDERMEN AND FREEMEN

Members considered a report setting out recommendations upon several matters relating to the Honorary Aldermen and Freeman of the Council who had been admitted under the Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008.

A provisional list of Honorary Aldermen and Freeman who were admitted by the demised East Cheshire authorities was circulated at the meeting.

An Honorary Alderman could attend and take part in such civic ceremonies as the Council may from time to time decide but did not have the right to:

- attend meetings of the Council, Cabinet or a committee of the Council other than as a member of the public (including a joint committee upon which the Council is represented); or
- receive any of the allowances or other payments to which councillors are entitled.

The admission of a person to be an Honorary Freeman did not confer the rights granted to be an Honorary Alderman.

Every Council should have its own criteria for the appointment of Honorary Aldermen, a list of rights and duties and its own ceremony for their Admission. Section 249 (6) of the Act allowed Councils to spend 'such reasonable sum as they think fit' on presenting an address or casket containing the address to the Honorary Alderman. Details of the rights and privileges conferred by the demised authorities were circulated to the Sub-Committee.

Part 1, Chapter 5 – of the Local Democracy, Economic Development and Construction Act 2009 extended existing privileges to include the daughters as well as sons of a Freeman of a city or town, and provided for women to have the right to be admitted and to use the title of 'Freewoman'. A civil partner would be in the same position as a spouse or surviving spouse of a person admitted to the freedom of a city or town. The honorary titles of Honorary Alderman or Alderwoman could also be awarded. This legislation came into force on 1st April 2010.

In considering arrangements for Cheshire East, Members sought clarification of a number of matters:

- whether those included in the list of honorary aldermen and freemen would be prevented from standing for election in 2011
- whether, if allowed to stand and subsequently elected, they would be able to continue to use their title
- whether those standing down in 2011 would by then have satisfied the criteria for being appointed as honorary aldermen
- the definition of 'term of office' and the implications of boundary changes and being elected for initial periods of less than four years

The Officers undertook to clarify these matters for the next meeting.

RESOLVED

That

- (1) the Democratic Services Manager write to all Members of the Council with a view to confirming the accuracy of the list of honorary aldermen and freemen;
- (2) all Members of the Council be consulted on what rights and privileges should be granted to honorary aldermen and freemen in Cheshire East; and
- (3) a further report be submitted to the next meeting setting out a proposed scheme for the appointment of honorary aldermen and freemen in Cheshire East.

The meeting commenced at 10.30 am and concluded at 12.10 pm.

Councillor H Davenport (Chairman)

CHESHIRE EAST COUNCIL

Civic Sub Committee

Date of Meeting:	3 August 2010
Report of:	Democratic Services Manager
Subject/Title:	Honorary Aldermen and Freeman

1.0 Report Summary

- 1.1 To make recommendations upon several matters relating to the Honorary Aldermen and Freeman of Cheshire East Council who were admitted under the Local Government (Structural Changes) (Transitional Arrangements) (No2) Regulations 2008. This includes the benefits, rights and privileges to which they should be entitled. Recommendations are also made in respect of the criteria for the appointment of Honorary Alderman and Freeman.

2.0 Recommendations

That the Civic Sub-Committee make recommendations to the Constitution Committee upon the benefits, rights and privileges to which Honorary Aldermen and Freeman should be entitled and the criteria for the appointment of Honorary Alderman and Freeman.

3.0 Financial Implications

- 4.1 Section 249 (6) of the Local Government Act 1972 allows Councils to spend 'such reasonable sum as they think fit' on presenting an address or casket containing the address to the Honorary Alderman or Freeman. Excluding any charges for a civic reception the cost of a framed scroll and a gift to commemorate the award of the title of Honorary Aldermen or Freeman are estimated to be a maximum of £1000. Any costs associated with the benefits, rights and privileges to which Honorary Aldermen and Freeman might be entitled will be met from the Civic and Democratic Services budgets.

4.0 Legal Implications

- 4.1 Section 248 of the Local Government Act 1972 permits the council of a relevant authority, by a resolution passed by not less than two-thirds of the members voting thereon at a meeting of the council specially convened for the purpose with notice of the object, to admit to be Honorary Freeman of the borough persons of distinction and persons who have, in the opinion of the council, rendered eminent services to the borough.

- 4.2 With regard to Honorary Aldermen, under the provisions of Section 249 of the Local Government Act 1972, “a principal council may, by a resolution passed by not less than two-thirds of the members voting thereon at a meeting of the council specially convened for the purpose with notice of the object, confer the title of honorary aldermen on persons who have, in the opinion of the council, rendered eminent services to the council as past members of that council, but who are not then members of that council”.
- 4.3 Sections 32 and 33 of the Local Government (Structural Changes) (Transitional Arrangements) (No2) Regulations 2008 confirm that a person who has been admitted as an Honorary Alderman or Freeman of a local government area that has been abolished shall be treated as being admitted as an Honorary Alderman and Freeman of the new reorganised area.
- 4.4 Part 1 Chapter 5 – of the Local Democracy, Economic Development and Construction Act 2009 makes new provisions on Local Freedoms and Honorary titles and amends Sections 248 and 249 of the Local Government Act 1972. These measures extend existing privileges to include the daughters as well as sons of a Freeman of a city or town, and provide for women to use the title of ‘Honorary Freewoman’. A civil partner will be in the same position as a spouse or surviving spouse of a person admitted to the Freedom of a city or town. The honorary title of ‘Honorary Alderwoman’ may also be awarded. This legislation came into force on 1st April 2010 and is intended to make changes which have not already been made by principal councils.

5.0 Risk Management

- 5.1 No issues can be identified as arising from the proposals contained in this report.

6.0 Background

- 6.1 At a meeting of the Civic Sub-Committee held earlier this year Members considered a report on matters relating to the Honorary Aldermen and Freeman of Cheshire East Council who had been admitted from the demised authorities.
- 6.2 A provisional list of Honorary Aldermen and Freeman, who were admitted by the demised authorities, was circulated at the meeting together with a list of rights and privileges that had been extended to them.
- 6.3 The Civic Sub-Committee resolved that the Democratic Services Manager write to all Members of the Council with a view to confirming the accuracy of the list of Honorary Aldermen and Freeman and to consult with all Members of the Council on what rights and privileges should be granted by this Council.

- 6.4 A letter was sent to all Members seeking their views on these different matters.
- 6.5 Following consultation with Members a revised list of Honorary Aldermen and Freeman, who have been admitted by the demised authorities has been prepared. This is attached at Appendix 1. The rights and privileges that each authority had conferred upon Honorary Aldermen is attached at Appendix 2. Attached at Appendix 3 is a copy of the letter sent to members. Appendix 4 summaries the responses received.
- 6.6 Correspondence on this matter has also been received from Honorary Alderman Melrose and she has given additional information that is included in Appendix 4.
- 6.7 Generally an Honorary Alderman may attend and take part in such civic ceremonies as the council may from time to time decide but shall not have the right to:
- Attend meetings of the council, cabinet or a committee of the council other than as a member of the public (including a joint committee upon which the council is represented)
 - To receive any of the allowances or other payments to which councillors are entitled.
- 6.8 The admission of a person to be an Honorary Freeman does not confer the rights granted to be an Honorary Alderman.
- 6.9 Every Council should have its own criteria for the appointment of Honorary Alderman, a list of rights and duties and its own ceremony for their admission.
- 6.10 Cheshire East Council needs to consider its own arrangements. Attached at Appendix 5 is a Scheme for the appointment of Honorary Alderman and Freeman. The Scheme confirms the rights an privileges that the Council will confer and includes an indicative Order of Proceedings for the Ceremony.

7.0 Proposals for the Sub Committee to Consider?

Set out below are the main matters for the Sub Committee to consider:

- the criteria for the appointment of Honorary Alderman and Freeman
- a list of rights and duties conferred on Honorary Alderman and Freeman
- the ceremony for their admission

- arrangements for their attendance at meetings and events and notification of events

8.0 Access to Information

- 8.1 The background papers relating to this report can be inspected by contacting the report writer:

Name: Brian Reed

Designation: Democratic Services Manager

Tel No: 01270 686670

Email: brian.reed@cheshireeast.gov.uk

Appendix 1

ALDERMEN AND FREEMAN OF THE FORMER CHESHIRE COUNTY AND BOROUGH COUNCILS

Prior to disbandment on 31 March 2009, Cheshire County Council, Crewe & Nantwich Borough Council, Congleton Borough Council and Macclesfield Borough Council had conferred the title of Honorary Alderman and Freeman onto the following recipients:

Cheshire County Council

Alderman

Mrs J E Hill	Pre 1998
Mr D P Hood	Pre 1998
Mr Alan Barnes	2001
Mrs Margaret Melrose DL	2001
Mr David Palmer	2001
Mr William Talbot	2001
Mr D A Bould	2005
Mr K A Hemsley	2005
Cllr John Paul Findlow	2009
Mr John Gordon Alexander Fyffe	2009
Mr Barrie Rushworth Hardern	2009
Mr David Lloyd-Griffiths	2009
Cllr Peter Herbert Mason	2009
Cllr Arthur Moran	2009
Mr David John Newton DL	2009
Mr Peter Nurse	2009
Mr Neville Thomas Price	2009
Cllr Stephen Roger Wilkinson	2009

No Honorary Freemen have been admitted. Advice from the Former County Secretary suggests that the County was not empowered to do so.

Crewe and Nantwich Borough Council

Alderman

Mr Wilfred Talbot	1979
Mr Alan Gilderthorpe Chapman	1990
Mr John Michael Bedson JP	1991
Mr Roland Peter Birchall	1995
Mr Richard A Ellwood	1999
Leslie Cooper	1999
Mr Douglas Neville Butterill	2005
Mr Peter Kent	2009
Mr Howard Curran	2009
Mrs Maureen Grant	2009
Mr Steve Hogben	2009
Mr Michael Roberts	2009
Mr Steven Roberts	2009
Mr Gwyn Griffiths	2009
Mr Ray Stafford	2009
Mr Ron Salmon	2009
Mr Leslie Wood	2009
Cllr Terry Beard	2009
Cllr Brian Silvester	2009
Cllr Christopher Thorley	2009
Cllr Stanley Davies	2009

Freeman

The 22nd (Cheshire) Regiment	1986
Mrs Anne B Blacklay BSc	1989
HMS Ambuscade (de-commissioned)	1993
Mr John Michael Bedson JP	1998
Mr Michel-Antoine Rognard	2001
Mr Edward John Bowler	2003
Mr Dario Gradi MBE	2003

Congleton Borough Council

Alderman

Mr R Tomlinson	1998
Mr R C Parry	2004
Mr K A Hemsley	2004
Mrs K A Thompson	2004
Mr M J Cooper	2009
Mr T Farrell	2009
Mr R A Giltrap	2009
Mr L Morris	2009
MR F Walton	2009
Cllr D T Brown	2009
Cllr RM Domleo	2009
Cllr P J Edwards	2009
Cllr RI Fletcher	2009
Cllr DI Hough	2009

Freeman

Mr G Chambers	2009
First Battalion of the Mercian Regiment was also a Freeman of the Borough	

Macclesfield Borough Council

Alderman

Mr P. O. Davies	2009
Mrs. S. L. Hardern	2009
Mr K. Jagger	2009
Mr A. Wall	2009
Mr R. F. Short	2009
Mrs. M. D. Clampett	2009
Mrs. D. M. Millett	2009
Mrs. J. M. Barnes	2009
Mr N. H. Edwards	2009
Councillor Miss C.M. Andrew	2009
Mr G W Wright	2009
Councillor P. P. Whiteley	2009
Councillor J. B. Crockatt	2009
Mr B E Burkhill	2009
Councillor Mrs T Jackson	2009
Councillor Mrs A I E Harewood	2009
Mrs J. M. Palmer	2009
Mrs J.A. Jackson	2009
Mrs S. E. Roberts	2009

Freeman

Margaret Duddy OBE	2002
Sir Nicholas Winterton MP	2002
The Kings School, Macclesfield	2002
The Cheshire Regiment was also a Freeman of the Borough	

Appendix 2

CRITERIA FOR THE APPOINTMENT OF HONORARY ALDEREMAN AND THE RIGHTS AND PRIVILEGES CONFERRED BY THE FORMER CHESHIRE EAST COUNCILS

Cheshire County Council

SCHEME FOR THE APPOINTMENT OF HONORARY ALDERMEN

1. The Organisation Committee shall have the duty of submitting, from time to time, to the full Council, the names of past Members of the Council who, in the opinion of the Committee, have rendered eminent services to the Council and on whom should be conferred the title of "Honorary Alderman" in accordance with the provisions of Section 249 of the Local Government Act 1972.
2. When the Committee has approved such a recommendation, the Chief Executive, in consultation with the Chairman of the Council, shall convene a special meeting of the Council for the purposes of considering the proposition that the title of Honorary Alderman be conferred on the person or persons recommended by the Committee.
3. The resolution of the Council conferring the title of Honorary Alderman on a former Member shall be suitably engrossed and embodied in a Roll of Honorary Aldermen of the Cheshire County Council.
4. The Roll of Honorary Aldermen shall be kept by the County Secretary.
5. An Honorary Alderman of the Cheshire County Council shall enjoy such privileges as may properly be conferred by the Council from time to time and in particular shall be entitled:
 - (1) to attend civic receptions and other civic functions or ceremonies to which all Members of the Council are invited;
 - (2) to attend meeting of the County Council and to be allocated a seat in the Council Chamber;
 - (3) to use, by invitation, the facilities in the Group Rooms;
 - (4) to receive the privileges accorded to Members of the Council in respect of admission to Tatton Park.
6. For the purposes of this Scheme the term "eminent services" shall mean three full terms of office and/or service as Chairman or Vice-Chairman of the Council and/or the holding of a senior political office.

PRIVILEGES

As set out in Section 5 above.

Crewe and Nantwich Borough Council

SCHEME FOR THE APPOINTMENT OF HONORARY ALDERMEN

The title of Honorary Alderman was normally awarded to long serving Members on retirement.

PRIVILEGES

The privileges were the same as those for Honorary Freemen which were invitations to all major civic events and copies of the Borough Council Agenda and Minutes.

Congleton Borough Council

SCHEME FOR THE APPOINTMENT OF HONORARY ALDERMEN

The title of Honorary Alderman was normally awarded to long serving Members on retirement.

PRIVILEGES

Invitations to all major civic events.

Macclesfield Borough Council

SCHEME FOR THE APPOINTMENT OF HONORARY ALDERMEN

To be considered for the appointment of Honorary Alderman Members had either been Mayors of the Borough and/ or are still serving Councillors who have completed over three terms of office as Councillor.

PRIVILEGES

Invitations to all major civic events.

Appendix 3

To All Members of the Council

Brian Reed

Democratic Services Manager

Westfields, Middlewich Road

Sandbach, Cheshire

CW11 1HZ

Tel: 01270 686670

Fax: 01270 529891

email: brian.reed@cheshireeast.gov.uk

DATE: 26th March 2010
REF:

OUR REF:

YOUR

Dear Member

Honorary Freeman and Alderman

At a recent meeting of the Civic Sub-Committee, Members considered a report on several matters relating to the Honorary Aldermen and Freeman of the Council who had been admitted from the demised East Cheshire authorities.

A provisional list of Honorary Aldermen and Freeman, who were admitted by the demised East Cheshire authorities, was circulated at the meeting.

In addition, information was also circulated on the rights and privileges that each authority had conferred upon Honorary Aldermen.

The Civic Sub-Committee will consider this matter further in due course, but before doing so asked that I write to all Members of the Council with a view to confirming the accuracy of the list of Honorary Aldermen and Freeman and to consult with all Members of the Council on what rights and privileges should be granted by this Council.

I should be grateful therefore if you would consider the attached provisional list of Honorary Aldermen and Freeman to confirm its accuracy. Secondly please could you consider the rights and privileges that each authority had conferred upon Honorary Aldermen and let me have your views upon them?

The intention is that the Council should have its own criteria for the appointment of Honorary Aldermen and a list of rights and duties together with a civic ceremony for their Admission.

Yours sincerely

Democratic Services Manager

Appendix 4
Summary of Responses

Name of Respondent	Comment
Councillor Brown	Correction of Name
Councillor Thorley	Addition of Wilfred Talbot
Councillor Gilbert	Confirmation that list is correct in so far as he is aware
Councillor Stella Furlong	Confirmation that list is correct in so far as she is aware
Councillor Topping	Confirmation that list is correct in so far as he is aware
Councillor Hammond	Addition of First Battalion of the Mercian Regiment (Cheshire)
Councillor Carolyn Andrew	Confirmation that list is correct in so far as she is aware

In addition to the above the Council has received correspondence on this matter from Alderman Margaret Melrose. She anticipates that Cheshire East Council will remain in regular contact with Alderman and has notified the Council of the following privileges that were extended to Aldermen by Cheshire County Council.

“County Alderman were:-

- 1. Invited to all meetings of the full Council*
- 2. Sent all papers for the meeting at the same time as Councillors*
- 3. Given a seat in the Council Chamber (not staff or visitors galleries)*
- 4. Invited to all functions to which the whole Council were invited, with spouses if Councillors spouses were invited*
- 5. Provided with a top grade parking pass for all council premises and space provided*
- 6. Given a life pass to Tatton Park and all its facilities*
- 7. Given a pair of tickets for one day at the County Show at Tabley and a pair of tickets for one day at the RHS Flower Show at Tatton and invited to the Chairmen’s Lunch on both occasions (paid for by the Alderman)*
- 8. Provided with Internal Telephone directory and Council Calendar”*

Appendix 5

SCHEME FOR THE APPOINTMENT OF HONORARY ALDERMEN AND FREEMEN

1. The Civic Sub Committee shall have the duty of submitting, from time to time, to the full Council, the names of past Members of the Council who, in the opinion of the Sub Committee, have rendered eminent services to the Council and on whom should be conferred the title of "Honorary Alderman" or "Honorary Alderwoman" in accordance with the provisions of Section 249 of the Local Government Act 1972.
2. The Civic Sub Committee shall have the duty of submitting, from time to time, to the names of persons of distinction and persons who have, in the opinion of the Sub Committee, rendered eminent services to the borough who have rendered eminent services to the Council and on whom should be conferred the title of "Honorary Freeman" or "Honorary Freewoman" in accordance with the provisions of Section 248 of the Local Government Act 1972.
3. When the Sub Committee has made such a recommendation, the Constitution Committee shall consider the recommendation and if approved will request the Chief Executive, in consultation with the Mayor and Leader of the Council, to convene a special meeting of the Council for the purposes of considering the proposition that the title of Honorary Alderman or Honorary Freeman be conferred on the person or persons recommended by the Sub Committee.
4. The resolution of the Council conferring the title of Honorary Alderman on a former Member or Honorary Freeman shall be suitably engrossed and embodied in a Roll of Honorary Aldermen and Honorary Freeman of Cheshire East Council. A framed scroll and civic gift will be presented
4. The Roll of Honorary Aldermen and Honorary Freeman shall be kept by the Borough Solicitor.
5. An Honorary Alderman of the Cheshire East Council shall enjoy such privileges as may properly be conferred by the Council from time to time and in particular shall be entitled:
 - (1) to attend civic receptions and other civic functions or ceremonies to which all Members of the Council are invited and where the spouses and partners of Members are able to attend so shall the spouses and partners of Alderman;
 - (2) to attend meeting of the Full Council and to be allocated a seat in the public part of the Council Chamber;
 - (3) to be notified on a regular basis of significant civic matters by the Democratic Services Manager.

6. For the purposes of this Scheme the term “eminent services” shall mean ten years of office and/or service as Leader of the Council or Mayor. (Note for those Members who served on the demised authorities this service will be taken in to account for the purposes of calculating years of office.)
7. An Honorary Freeman of the Cheshire East Council shall enjoy such privileges as may properly be conferred by the Council from time to time and in particular shall be entitled to attend civic receptions and other civic functions or ceremonies to which all Members of the Council are invited and where the spouses and partners of Members are able to attend so shall the spouses and partners of Freeman.

CEREMONY FOR THE APPOINTMENT OF HONORARY ALDERMEN AND FREEMEN

The Mayor will open the meeting and welcome everybody to the Meeting

The Leader will move a formal motion

The Mayor will invite a Member to second the motion

The Leader will give a tribute

The Mayor will invite other members to give tributes

The Mayor will invite the Council to pass the formal resolution

The Mayor will invite the recipient(s) to come forward and sign the Roll of Honorary Alderman and Freeman

The Mayor will present a scroll and civic gift to the recipient

The recipient will give a response

The Mayor will conclude proceedings and invite Members and guests to attend a civic reception

CHESHIRE EAST COUNCIL

Civic Sub Committee

Date of Meeting:	3August 2010
Report of:	Democratic Services Manager
Subject/Title:	Freedom of the Borough - 1 st Battalion Mercian Regiment (Cheshire)

1.0 Report Summary

- 1.1 To make recommendations upon granting Freedom of the Borough to the 1st Battalion Mercian Regiment (Cheshire).

2.0 Recommendations

That the Civic Sub-Committee recommends:-

1. That the Constitution Committee recommends that Freedom of the Borough be granted to the 1st Battalion Mercian Regiment (Cheshire) and requests that a special meeting of Council be convened for this purpose.
2. That, in conjunction with the Officer Commanding the Rear Operations Group and the Assistant Regimental Secretary, officers considers the two options for the form of the ceremony and reports their view to the Constitution Committee.
3. That, in conjunction with the Officer Commanding the Rear Operations Group and the Assistant Regimental Secretary, officers make arrangements for three Homecoming Parades to be held across Cheshire East as follows:-
 - 8th November Macclesfield and Crewe
 - 10th November in the afternoon for Congleton

3.0 Financial Implications

- 3.1 The costs of a framed scroll, a Roll of Honorary Freemen of the Borough, a gift to commemorate the occasion are estimated to be a maximum of £1000. These costs together with those associated with a civic reception and homecoming parades can be met from within the Civic Budget. Section 249 (6) of the Local Government Act allows Councils to spend 'such reasonable sum as they think fit' on presenting an address or casket containing the address to the Honorary Alderman or Freeman

4.0 Legal Implications

- 4.1 Section 248 of the Local Government Act 1972 permits a council of a relevant area, by a resolution passed by not less than two-thirds of the members voting thereon at a meeting of the council specially convened for the purpose, to admit to be honorary freemen of the borough persons of distinction and persons who have, in the opinion of the council, rendered eminent services to the borough.
- 4.2 Sections 32 and 33 of the Local Government (Structural Changes) (Transitional Arrangements) (No2) Regulations 2008 confirm that a person who has been admitted as an Honorary Alderman or Freeman of a local government area that has been abolished shall be treated as being admitted as an Honorary Alderman and Freeman of the new reorganised area. The demised Councils of Crewe and Nantwich, Macclesfield all admitted the Cheshire Regiment to the Freedom of their Boroughs. Congleton admitted the 1st Battalion Mercian Regiment (Cheshire). Cheshire County Council was not empowered to admit the regiment in either form. Notwithstanding Sections 32 and 33 of the Local Government (Structural Changes) (Transitional Arrangements) (No2) Regulations 2008 there does not appear to be any prohibition on Cheshire East Council from admitting in it's own right the 1st Battalion Mercian Regiment (Cheshire) to be Honorary Freeman on the basis that in the opinion of the Council, the Regiment has rendered eminent services to the Cheshire East area.

5.0 Risk Management

- 5.1 No issues can be identified as arising from the proposals contained in this report.

6.0 Background

- 6.1 The 1st Battalion Mercian Regiment (Cheshire) recently deployed to the Helmand Province in Afghanistan, for a six month active service tour. The Battalion recruits from Congleton, Sandbach, Holmes Chapel, Middlewich, Macclesfield and Crewe. Therefore, local men and women are involved. The Mayor, Councillor Baxendale, has been in contact with the Officer Commanding the Rear Operations Group, to discuss arrangements for a homecoming parade(s). The Regimental Secretary from the 1st Battalion Mercian Regiment has also contacted him in connection with this matter.
- 6.2 The Mayor submitted a motion to the Annual Meeting which proposed that, to coincide with the homecoming parade(s), Cheshire East Council should, in its own right, admit the Regiment as an Honorary Freeman and make arrangements for an appropriate ceremony. The reason for this motion was to ensure that appropriate arrangements could be made for the parade(s) and to agree a process, to ensure that matters affecting the ceremony were agreed in a timely manner, with appropriate Member input.

- 6.3 The Borough Solicitor advised Council that the motion should stand referred to the Constitution Committee.
- 6.4 When a Council convenes a special meeting of Council for the purpose of admitting a person or body Freedom of the Borough protocol suggests that at the ceremony a scroll and civic gift, usually a casket, are presented and that the person being admitted signs the Council's Freedom of the Borough Roll. This would then be followed by a civic reception.
- 6.5 The Council has two options on the form of this ceremony. Representatives of the Regiment are present at the special meeting of Council and the Council deals with the Freedom of the Borough in one event. Alternatively the Council may wish to pass the resolution and defer the presentation of the scroll and gift and signing of the Roll to form part of one of the homecoming parade marches.
- 6.6 The suggested wording for the resolution to be considered at the Special meeting of Council is as follows:-
- That pursuant to the powers contained in the Local Government Act 1972, the Council grant Freedom of Entry to the Borough to the 1st Battalion Mercian Regiment (Cheshire), and admit the Regiment to the Roll of Honorary Freemen of the Borough, in recognition of the long and close association between the Cheshire East Borough and the Regiment and confer upon the Regiment the right, privilege and honour of marching through the streets of Cheshire East on ceremonial occasions, with swords drawn, bayonets fixed, drums beating, bands playing and colours flying.*
- 6.7 The Democratic Services Manager and the Head of Communications have been in contact with the Regimental Secretary to keep him informed of progress. The Regimental Secretary is co-ordinating a number of homecoming parades across the North West on behalf of the Officer Commanding the Rear Operations Group. Three provisional dates have been identified for Cheshire East. A further update will be given at the meeting.

7.0 Proposals for the Sub Committee to Consider

Set out below are the main matters for the Sub Committee to consider

- the motion referred from Council and to recommend that Freedom of the Borough be granted to the 1st Battalion Mercian Regiment and request the Chief Executive to convene a special meeting of Council for this purpose
- the resolution to be considered
- the form of ceremony for the Regiments Admission
- arrangements for the homecoming parade

8.0 Access to Information

- 8.1 The background papers relating to this report can be inspected by contacting the report writer:

Name: Brian Reed

Designation: Democratic Services Manager

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CHESHIRE EAST COUNCIL

Civic Sub Committee

Date of Meeting: 3 August 2010
Report of: Democratic Services Manager
Subject/Title: Flag Flying Policy

1.0 Report Summary

- 1.1 To invite the Sub-Committee to consider making recommendations in respect of a flag flying policy for civic buildings in Cheshire East Borough.

2.0 Recommendations

That the Sub-Committee considers the contents of the report and makes recommendations to the Constitution Committee on a flag flying policy in respect of civic buildings in Cheshire East.

4.0 Financial Implications

- 4.1 The cost of replacing Flags can be met from within existing resources.

5.0 Legal Implications

- 5.1 There is no legislation relating to the flying of the Union and other flag. The Union Flag is the national flag by long established custom and practice, rather than having been provided for by statute.
- 5.2 Under Schedule 1 Class H of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, national flags, the flags of the Commonwealth, European Union, the United Nations, English counties and certain saints can be flown without the express consent of local authorities as long as they satisfy the standard conditions for the display of advertisements generally and the conditions and limitations set out within Class H itself.

6.0 Risk Management

- 6.1 Failure to fly flags to celebrate or commemorate significant events, and in particular the Union Flag and National Flag of England, can attract adverse publicity for the Council. A Flag Flying Policy will ensure that flags are flown to show Cheshire East Council's support and respect for significant events.

7.0 Background

- 7.1 Cheshire East Council has not yet adopted a Flag Flying Policy. The Cheshire East flag is flown permanently from a variety of Cheshire East buildings. In the last year the Leader and the Chief Executive have agreed on an ad hoc basis that flags be flown as follows from the three main administrative buildings:-

Birthday of Her Majesty Queen Elizabeth II (Union flag)
St George's Day (National Flag)
Official celebration of Her Majesty's birthday (Union flag)
Armed Forces Week (Armed Forces flag)
Remembrance Day (Union Flag at half mast)

- 7.2 The Council also flew the National Flag during the English Football team's participation in the World Cup, and the Polish flag at half mast outside the Municipal Building Crewe as a mark of respect following the Polish air disaster (12 April). The Cheshire East flag has also been flown at half mast following the death of Councillors.

- 7.2 The Department of Culture Media and Sport has published guidance for Government Departments that recommends that the Union Flag is flown on the following days:

- 20 January - Birthday of The Countess of Wessex
- 6 February - Her Majesty's Accession
- 19 February - Birthday of The Duke of York
- March (2nd Monday) - Commonwealth Day
- 10 March - Birthday of The Earl of Wessex
- 21 April - Birthday of Her Majesty The Queen
- 9 May - Europe Day
- 2 June - Coronation Day
- 10 June - Birthday of The Duke of Edinburgh
- June (date varies) - Official Celebration of Her Majesty's Birthday
- 17 July - Birthday of The Duchess of Cornwall
- 15 August - Birthday of The Princess Royal
- November (2nd Sunday) - Remembrance Sunday
- 14 November - Birthday of The Prince of Wales
- 20 November - Her Majesty's Wedding Day

- 7.4 The Department of Culture Media and Sport encourages local authorities to regularly fly the Union and National Flag.

- 7.5 Enclosed at Appendix 1 is a recommended Flag Flying Policy for Cheshire East Council.

- 7.6 The Flag Institute, in association with the Flags & Heraldry Committee, an all party group of the United Kingdom Parliament, has produced guidance to help and guide public bodies when flying the flag in a variety of situations.

8.0 Access to Information

- 8.1 The background papers relating to this report can be inspected by contacting the report writer:

Name: Brian Reed

Designation: Democratic Services Manager

Tel No: 01270 686670

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FLAG FLYING POLICY AT CHESHIRE EAST COUNCIL

1. GENERAL

The Cheshire East Borough Flag will be flown permanently at full mast on all Cheshire East establishments where a safe and serviceable flag pole exists. It will be the responsibility of the Property Team to ensure that Cheshire East Flag is suitably maintained and flown.

The Cheshire East Flag will only be flown at half mast on the death of the following until sunset on the day of the funeral:

- a Member of the Council;
- an Ex-Mayor of the Borough;
- an Ex-Leader/Leader of the Council;
- an Honorary Freeman;
- an Honorary Alderman;
- a serving Member of Parliament of a Parliamentary Constituency within the Borough.

Set out below are those occasions when an alternative flag will be flown at the Administrative Centres in Sandbach, Macclesfield and Crewe only.

2. UNION FLAG

The Union flag will be flown full mast on the following days:

- 9 March – Commonwealth Day
- 21 April – Birthday of Her Majesty the Queen
- 13 June – Official Birthday of Her Majesty the Queen
- Second Sunday in November – Remembrance Sunday

The Union Flag should be flown at half mast on the day of the death of the following:

- The Sovereign; or
- The Mayor.

The flag will remain half mast until after the funeral (except in the case of the Sovereign when flags are hoisted right up from 11:00 a.m. to sunset on Proclamation Day – and then lowered back to half mast after sunset until after the funeral).

In the case of deaths within the Royal Family (except the Sovereign), the flag will be flown on the day of the funeral and subject to special commands from the Sovereign in each case.

The Union Flag will be flown to support the Great British Team during the Olympics.

3. NATIONAL FLAG OF ENGLAND

St. George's Day 23rd April.

The National Flag will be flown to support the English Team during the Commonwealth Games and, at the discretion of the Leader of the Council, in support of other National Teams.

4. ARMED FORCES

The following flags will be flown in support of the Armed Forces:

Army 18th June (Waterloo)
Merchant Navy 3rd September (Red Ensign)
Royal Air Force 15th September (Battle of Britain)
Royal Navy 21st October (Trafalgar)
Armed Forces Week (June each year)

5. OVERSEAS VISITORS

The relevant national flag will be flown when Cheshire East Borough formally receives visitors from overseas.

6. MARK OF RESPECT

The Leader of the Council will determine when Cheshire East Council will fly its flags at half mast as a mark of respect to express the sympathies of the Council in appropriate circumstances.

7. OTHER OCCASIONS

Ad hoc requests to fly flags that are not covered by this policy will be determined by the Leader of the Council.

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