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# CHESHIRE EAST COUNCIL

## Civic Sub-Committee

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**Date of Meeting:** 9<sup>th</sup> February 2010  
**Report of:** Democratic Services Manager  
**Subject/Title:** Honorary Aldermen and Freemen

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### 1.0 Report Summary

- 1.1 To make recommendations upon several matters relating to the Honorary Aldermen and Freemen of this Council who were admitted under the Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008. This includes the benefits, rights and privileges to which they should be entitled.

### 2.0 Recommendations

That the Civic Sub-Committee make recommendations to the Governance and Constitution Committee upon the benefits, rights and privileges to which Honorary Aldermen and Freemen should be entitled.

### 3.0 Financial Implications for Transition Costs

- 3.1 There are no implications for Transition Costs.

### 4.0 Financial Implications 2009/10 and beyond

- 4.1 There are no identifiable financial implications for 2009/10. As and when the Sub-Committee identifies the benefits, rights and privileges to which Honorary Aldermen and Freemen should be entitled, such implications will be considered and reported to Members.

### 5.0 Legal Implications

- 5.1 With regard to Freemen, and inhabitants of existing boroughs, under the provisions of Section 248 of the Local Government Act 1972, pre-existing rights and privileges conferred on such persons were unaffected, and after March 1974, Freemen and persons related to or associated with them by marriage, descent, employment or otherwise were entitled to the same rights as them.
- 5.2 With regard to honorary aldermen and freemen, 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”.

- 5.3 Sections 32 and 33 of the Local Government (Structural Changes) (Transitional Arrangements) (No.2) 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.

## **6.0 Risk Management**

- 6.1 N/A

## **7.0 Background**

- 7.1 A list of Honorary Aldermen and Freeman who were admitted by the demised East Cheshire authorities is being researched and will be circulated to the Sub-Committee.

- 7.2 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)
- Receive any of the allowances or other payments to which councillors are entitled.

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

- 7.4 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 allows Councils to spend ‘such reasonable sum as they think fit’ on presenting an address or casket containing the address to the Honorary Alderman. The rights and privileges conferred by the demised authorities are being researched and will be circulated to the Sub-Committee.

- 7.5 The Council now needs to consider its own arrangements.

- 7.6 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 Section 248 of the 1972 Act. These measures extend existing privileges to include the daughters as well as for sons of a Freeman of a city or town, and provide for women to have

the right to be admitted and to use the title of '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 titles of Honorary Alderman or Alderwoman may also be awarded. This legislation comes into force on 1<sup>st</sup> April 2010.

## **8.0 Proposals for the Sub-Committee to Consider**

- the criteria for the appointment of Honorary Aldermen
- a list of rights and duties
- the ceremony for their Admission
- Arrangements for their attendance at meetings and events and notification of events

## **9.0 Access to Information**

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

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