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# CHESHIRE EAST COUNCIL

## Constitution Committee

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**Date of Meeting:** 24<sup>th</sup> June 2010  
**Report of:** Democratic Services Manager  
**Subject/Title:** Notice of Motion – Freedom of the Borough

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### 1.0 Report Summary

- 1.1 At its meeting on 27<sup>th</sup> May 2010, Council considered the following Notice of Motion submitted by the Mayor:

*“That Council approve, in principle, a homecoming parade for the 1<sup>st</sup> Battalion Mercian Regiment (Cheshire) and that the Chief Executive be authorised to make the necessary arrangements, in conjunction with the officer commanding the Rear Operations Group, for the Freedom of the Borough to be awarded and the Homecoming Parade, in November 2010.”*

Following advice from the Borough Solicitor, the motion stood referred to the Constitution Committee.

### 2.0 Recommendation

- 2.1 That the Officers be asked to work up detailed proposals for the proposed homecoming parade and Freedom of the Borough award for The 1<sup>st</sup> Battalion, The Mercian Regiment (Cheshire) and report back to the Committee.

### 3.0 Reasons for Recommendations

- 3.1 The 1<sup>st</sup> Battalion, The Mercian Regiment (Cheshire), had recently deployed to the Helmand Province in Afghanistan, for a six month active service tour. Within Cheshire East, the Battalion recruits from Congleton, Sandbach, Holmes Chapel, Middlewich, Macclesfield and Crewe. Therefore, there is a strong association with the Regiment and local service men and women are involved.

### 4.0 Financial Implications

- 4.1 There are no identifiable financial implications for 2010/11 arising from this report. As and when this Committee considers recommendations of the Sub Committee such implications will be considered and reported to

Members. Any costs associated with the award, and with the homecoming parade, would be met from within the Civic Budget.

## **5.0 Legal Implications**

- 5.1 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”.
- 5.2 The demised Councils of Crewe and Nantwich, Macclesfield and Congleton had all admitted the 22nd (Cheshire) Regiment to the Freedom of their Boroughs. The former 22nd (Cheshire) Regiment became 1<sup>st</sup> Battalion Mercian Regiment (Cheshire), on 1 September 2007. Although the Freedoms that were given can be absorbed into the new Unit the Council is able to grant a Freedom in its own right.
- 5.2 Associated with the ‘Freedom of the Borough’ is the ‘Freedom of Entry’ which has been granted by a number of Boroughs to service units which have rendered conspicuous service. This entitles the Regiment to 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”

## **6.0 Risk Management**

- 6.1 There are no identified risks associated with the process at this time. If any risks are identified these will be reported to Members.

## **7.0 Background**

- 7.1 The 1<sup>st</sup> Battalion The Mercian Regiment (Cheshire) had recently deployed to Helmand Province in Afghanistan, for a six month active service tour. At the conclusion of the Tour, the Regiment are planning a series of homecoming parades and have asked the Council, through the Mayor, for permission to undertake at least one parade in Cheshire East.
- 7.2 The Mayor, Councillor Baxendale, has been in contact with the officer commanding the Rear Operations Group and the Regimental Secretary from the 1st Battalion Mercian Regiment and they have indicated that the Regiment would be delighted to accept the offer of Freedom of the Borough.
- 7.3 A special meeting of the Council would be required to pass the necessary formal resolution.

- 7.4 If the Committee is minded to recommend to Council that the 1<sup>st</sup> Battalion, The Mercian Regiment (Cheshire) be granted the Freedom of the Borough the Chief Executive will on behalf of the Council continue to discuss the matter with the Rear Operations Group and the Regimental Secretary and report further to a future meeting of this Committee.

## **8.0 Access to Information**

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

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