
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:

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