



Committee and date

Council

10 December 2009

Item No

12

Public

DELEGATION OF POWER TO APPOINT FREEMEN

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1.0 Summary

- 1.1 The report sets out the request received from Shrewsbury Town Council that this Council delegates to it the exercise of the powers under Section 248 and 249 of the Local Government Act 1972 to install/create Freemen and Honorary Freemen of the Borough.

2.0 Recommendation

2.1 It is recommended:

- A. That the Council delegates to the Shrewsbury Town Council those powers under Section 248 and 249 of the Local Government 1972 relating to the installation of Freemen and the creation of Honorary Freemen of the Borough of Shrewsbury.
- B. That the Council pursues with the Department of Communities and Local Government the possible amendment of the law in this area.
- C. That the Chief Executive be given delegated authority to approve any similar request received from other Town Councils in Shropshire.

Report

3.0 Background

- 3.1 As a consequence of local government reorganisation, this Council is now responsible for exercising the powers contained in Sections 249 and 249 of the Local Government Act 1972 in relation to the installation of Freeman and the creation of Honorary Freeman within the Borough of Shrewsbury.
- 3.2 Historically, this has been a matter which the Borough Mayor has overseen and it is a concern to the Guild of Freeman of Shrewsbury that local government reorganisation has severed the link between it and the Town Council. They would prefer to see the Town Mayor presiding over any future installation ceremonies, rather than the Chairman of this Council, as they believe their links to be more with the Town of Shrewsbury than with the County of Shropshire.
- 3.3 Shrewsbury Town Council has requested that the exercise of the powers under the sections of the 1972 Act relating to the installation of Freeman and the creation of Honorary Freeman of Shrewsbury be delegated to it. It has further requested that the Council press the Department of Communities and Local Government to review the existing legislation, so that those town/city councils affected by reorganisation, but with a public expectation of inheriting such civic customs and traditions, have the right to install/create Freeman be restored to them. No other town has requested a similar delegation but it would be possible to delegate authority to the Chief Executive to approve any similar future request.
- 3.4 This appears to be an area of the law where insufficient thought was given to the practicalities of abolishing former borough/city councils, like Shrewsbury, in favour of large unitary authorities. It would therefore seem appropriate to accede to the Town Councils request so that it is able to maintain this ancient tradition.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Human Rights Act Appraisal

This report is consistent with the Human Rights act 1998

Environmental Appraisal

N/A

Risk Management Appraisal

N/A

Community / Consultations Appraisal

N/A

Cabinet Member

Keith Barrow

Local Member

E J Baker, V Bushell, M Price, K Burgoyne, J M W Kenny, A N Mosley, J T Durnell, J Jones, J E Clarke, E A Parsons, J Tandy, M J Owen, J M Williams, A M Chebsey, K Roberts, P M Adams, P A Nutting and M Winchester

Appendices

None