

## FREEDOM OF THE TOWN POLICY

### BACKGROUND

The position regarding the appointment of honorary freemen and honorary freewomen as a result of changes in local government legislation enabling the Town Council to introduce a scheme to bestow such awards.

Before the municipal reforms of 1835, there was a class of persons known as “freemen” in old corporate boroughs, enjoying special rights in the corporate property. The right to be admitted a freeman rested upon the custom of the borough, varied by the terms of its charter and, in certain cases, by local statutory provision. Generally the admission of a freeman, as distinct from the conferment of the honour of an honorary freedom, might be acquired, inter alia, by marriage, birth or employment to an existing freeman. The effect of successive reforms of local government law has been to continue the custom of maintaining a roll of freemen and regulating admission to it. Pursuant to section 248 of the Local Government Act 1972 Act (the 1972 Act) as amended by section 27 of the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act,) the admission of freemen (as opposed to admitting honorary freemen and honorary freewomen) of a pre-1974 municipal borough is approved by the chairman of the district council of the district in which the former borough lies.

After local government reorganisation in 1974, a number of local authorities were given the power to admit honorary aldermen and freemen pursuant to section 249 of the 1972 Act. However, that power was not extended to parish councils in England or community councils in Wales.

Prior to January 2010 only 10 local councils had the standing to confer the title of honorary freeman; seven in England (the councils of the cathedral cities of Chichester, Ely, Hereford, Lichfield, Ripon, Truro and Wells) and 3 in Wales (the councils of the cities of Bangor and St David’s and the Royal Town of Caernarfon).

### 1 DETAILED CONSIDERATION

1.1 On the 12th January 2010 the Local Democracy, Economic Development and Construction Act 2009 amended the provisions of the 1972 Act to enable all local councils to confer honorary titles. By virtue of section 249 (5)-(10) of the 1972 Act as amended, all local councils may exercise powers to confer the title of “honorary freeman” or “honorary freewoman,” to persons of distinction and those who in the council’s opinion have rendered eminent service to the council’s area.

1.2 Section 249(8) of the 1972 Act as amended provides that the admission of an honorary freeman or honorary freewoman must be by resolution made at a meeting of the full council specially convened for such purpose and passed by no less than two-thirds of the members of the council. Section 249(8) also requires “notice of the object of the meeting” to be given. This confirms the need for the agenda with the public notice and summons to members in respect of the council meeting to itemise a motion to confer the title of honorary freeman or honorary freewoman.

1.3 Section 249(9) of the 1972 Act as amended provides that a local council may spend a reasonable sum as it thinks fit for the purpose of presenting a scroll containing an address to a person on whom it has conferred the title of honorary freeman or honorary freewoman.

1.4 Prior to the changes in the law, as set out above, some local councils, who want to honor local residents’ notable service to their town or community or who achieved national fame, conferred the titles “honorary citizen” or “honorary townsman” or “honorary burgess”. Therefore, the express

powers given by the Local Democracy, Economic Development and Construction Act 2009, section 29 to admit “honorary freemen” and “honorary freewomen” will no longer be necessary or even possible for local councils to confer other titles.

## 2 CRITERIA

2.1 Should the council decide to agree to a policy of appointing honorary freemen and/or honorary freewomen then a set of criteria will be required.

2.2 For the purposes of this policy “Kirkbymoorside” refers to the Parish of Kirkbymoorside as being the defined area.

2.3 The title of the honour will only be known as ‘Honorary Freeperson’.

## 3 ELIGIBILITY

3.1 Individuals from all walks of life and all sections of the community who represented their country in at senior level in sport, in the arts, in politics, in science are eligible to be nominated as an honorary freeperson.

3.2 In keeping with the special nature of the award it shall be strictly limited to those who have made a very significant contribution to their country and who have demonstrated “service above self”.

3.2b A recipient must have lived in Kirkbymoorside or had strong ties with Kirkbymoorside. Kirkbymoorside is defined as the Kirkbymoorside ward for local elections for the town council.

3.3 The honour will be awarded for the individual’s lifetime and not as a hereditary award. The maximum number of freepeople at any one time is not restricted.

~~3.4 Made an exceptional and outstanding contribution to the local community in many ways over a substantial number of years, involving one or more of the following: A significant time in serving members of the community for improvement of their well-being • The achievement and/or delivery of community services in which a real personal contribution has been made • Outstanding acts to promote the Kirkbymoorside.~~

3.5 The nominee must have made an outstanding contribution to Kirkbymoorside such as the nominee’s contribution can be seen to stand above the contributions made by most other people.

The recipient must have represented their country and won, or come runner up in a major tournament eg bronze, silver or gold in the Olympics, or be a semi finalist in a tournament.

~~3.6 If the nomination is for that of a former Member of the Town Council, then to be eligible for consideration, they must have served at least 3 terms of office (12 years) these do not have to have been consecutive.~~

~~3.7 Nominations will not be accepted for current serving members of the Town Council related to their councillor role, a suitable qualifying period of one month must have elapsed after resignation from the Council before a nomination is accepted.~~

## 4 NOMINATION CRITERIA

~~4.1 The following should be taken into account when consideration is given to granting the honour of honorary freeperson of Kirkbymoorside.~~

~~4.2 Preference should be given to a person who performs in a voluntary capacity, but this should not preclude the honour being awarded to a person whose dedication and contribution is significantly above that expected from their occupation.~~

~~4.3 The contribution to the welfare of the community must involve a significant contribution of the person's time in serving members of the community for the improvement of their welfare or the promotion, achievement and/or delivery of community services in which a real personal role and contribution is made, and the contribution must be so outstanding in that it can be seen to stand above the contributions of most other persons.~~

## 5 NOMINATION PROCEDURES

5.1 Nominations can be made by any person who has links with Kirkbymoorside. Nominations must be submitted to the Town Clerk using the nomination form included with this policy.

5.2 The submission should outline the **achievement** provided by the individual to their **country and community** and any other examples of community spirit to justify the honour. On receipt of a nomination it should be circulated to all elected members for confidential consideration. On acceptance of the nomination by a majority of councillors the proposal for **Freeperson** status will be included upon a council agenda ~~scheduled between September and December in any calendar year.~~

5.3 The admission of an Honorary **Freeperson** must be made by resolution at a meeting of the Full Council specially convened for such purpose and passed by no less than two-thirds of the members of the Town Council (section 249 (8) of the Act) That section also requires "notice of the object of the meeting" to be given. This confirms the need for the agenda with the public notice and summons to members in respect of the Town Council meeting to itemize a motion to confer the title of Honorary Freeman.

5.4 All nominations of an **honorary freeperson** are treated in the strictest of confidence. The nominee should not be informed that they have been nominated as it is not fair to raise expectations in case they are not met. It is imperative that submissions are not discussed with any other persons. Any disclosure may make the application invalid.

## 6 ACKNOWLEDGEMENT

6.1 An acknowledgement will be sent upon receipt of the nomination form. Correspondence will not be entered into on the merits of a particular nomination whilst it is under consideration.

6.2 The Council will be invited to discuss nominations received for the **honorary freeperson**. The Council may request further information from the proposer if required.

## 7 AWARD

7.1 Following a resolution by Full Council that an award is justified, the recipient will receive a letter from the Town Clerk notifying them of the nomination and inviting them to accept the honor in writing.

7.2 The awards will be presented at an individual ceremony and this will normally be the Annual Town Meeting in May. 7.3 The title of 'Honorary **Freeperson** of Kirkbymoorside' will be granted by the Mayor who will present the recipient with an **framed** scroll, following a speech about their achievements.

## 8 ENTITLEMENTS

8.1.1 Any person declared an honorary freeperson of Kirkbymoorside may designate themselves "honorary freeperson of the Town of Kirkbymoorside".

8.1.2 The recipient will be awarded a certificate to commemorate receiving the award.

8.1.3 Any honorary freeperson of Kirkbymoorside shall be invited to all subsequent civic events and functions.

## 9 WITHDRAWAL

9.1 Any person nominated who is deemed by the Town Council to have brought the office into disrepute may have the designation withdrawn. No less than two thirds of the Town Council, at a formal vote, must agree the withdrawal. Draft Policy to be considered at the Ordinary meeting dated

21 November 2022