



## **CABINET – 28TH OCTOBER 2020**

**SUBJECT: FREEDOM OF BOROUGH – ROYAL BRITISH LEGION**

**REPORT BY: CORPORATE DIRECTOR EDUCATION AND CORPORATE SERVICES**

### **1. PURPOSE OF REPORT**

- 1.1 This report is to seek a decision on whether the Cabinet wishes to recommend that Council admit as Honorary Freeman of the Borough the Royal British Legion in recognition of their 100th Year Anniversary on 15th May 2021 and to honour the charitable work of the organisation supporting ex-service men and women and their families.

### **2. SUMMARY**

- 2.1 Under Section 249(5) of the Local Government Act 1972 a Borough Council can grant the Freedom of the Borough to "persons of distinction and persons who have, in the opinion of the Council, rendered eminent services to the Borough". In order to grant the Freedom of the Borough, a resolution must be passed by not less than two thirds of the members voting at a meeting of the Council specially convened for the purpose

### **3. RECOMMENDATIONS**

- 3.1 Cabinet are asked to recommend to Council the following:
- 3.2 In pursuance of Section 249 (as amended) of the Local Government Act 1972 the Council confers upon the Royal British Legion in 2021, the Freedom of the County Borough of Caerphilly.

### **4. REASONS FOR THE RECOMMENDATIONS**

- 4.1 To give public recognition to the recipient as an expression of the high esteem in which they are held by Caerphilly County Borough Council and the people of the County Borough on the occasion of the 100th Anniversary of the Royal British Legion.

### **5. THE REPORT**

- 5.1 The tradition of Boroughs conferring the Freedom goes back to ancient times when the Royal Charter Boroughs were almost, if not entirely, self governing. Originally,

such conferment conveyed special privileges of various kinds upon the recipient that could involve the right to vote, property and local taxation benefits.

- 5.2 Over the years, and especially since the passing of the Reform Act 1983 and the Municipal Corporations Act 1835, successive Acts of Parliament have sought amongst other things severely to curtail the extent of the privileges so that, today, the conferment is purely honorary. Today's Freemen have no special rights.
- 5.3 However, the tradition is maintained as a means whereby public recognition may be given to the recipients as an expression of the high esteem in which, they are held by the Council and people of the Borough.
- 5.4 Council agreed at the meeting dated 29th January 2008 to award Freedom of the Borough and Cabinet subsequently agreed the nomination criteria at the meeting dated 3rd March 2009. These criteria are set out below:

#### **Nomination criteria**

- (a) Nominations must show that the nominee is a 'person/s of distinction and/or a person/s who has rendered eminent services to the County Borough'.
- (b) In keeping with special nature of the award conferment should be strictly limited to those who have made a very significant contribution to the locality either on the national or international scene. It should be noted that the Council already has an annual award scheme for the Voluntary Sector Achievement Awards, (which also encompasses the Mayoral Civic Awards) to recognise those who have made an important contribution to the local community especially in a voluntary capacity.

#### **Nomination procedure**

- (a) Nominations may be received from councillors, officers, MPs, outside organisations in the borough, and members of the public who are on the Electoral Register;
- (b) Nominations must be made using the Nomination for Honorary Freedom of the County Borough form (appendix 1) and they must set out the reason why the Honour should be conferred;
- (c) Nominations must be submitted to the Cabinet via the Chief Executive, who will consult the leaders of the opposition groups to ensure there is sufficient support before, any nomination can be considered by the Cabinet. All discussions with the leaders of the opposition groups and potential recipients are to remain confidential at all times;
- (d) Cabinet will make a recommendation to the council if it considers that the Honorary Freeman of the County Borough would be an appropriate honour to confer;
- (e) The Full Council then has to make a separate decision at a specially convened council meeting to confer the Honorary Freedom of the County Borough;
- (f) The actual ceremony itself will take place at a later date, with the mutual agreement of the recipients, when invited guests as well as the council members will be present;
- (g) The award will take the form of the presentation of a suitably worded scroll and

casket and a declaration by the honoured person will be made followed by a reception.

- 5.5 Councillor Andrew Whitcombe the former Armed Forces Champion submitted the attached nomination form (appendix 1), which has been endorsed by the current Armed Forces Champion Councillor Alan Higgs. The nomination specifically outlines the reasons for consideration of the Royal British Legion on the occasion of the 100th Anniversary which will be achieved on 21st May 2021.

## 5.6 **Conclusion**

Cabinet are asked to consider the nomination against the criteria outlined in this report as set out in 5.4 and make a recommendation to Council.

## 6. **ASSUMPTIONS**

- 6.1 The recommendation as set out in this report assumes that Members will wish to recognise and support conferring the Freedom of the Borough upon the Royal British Legion upon the occasion of their 100th Anniversary.

## 7. **LINKS TO RELEVANT COUNCIL POLICIES**

- 7.1 Council has previously agreed the procedure and criteria for nominations for Freedom of the Borough which is a Civic and Ceremonial function.

### 7.2 **Corporate Plan 2018-2023.**

The procedure and criteria for nominations for Freedom of the Borough which is a Civic and Ceremonial function.

## 8. **WELL-BEING OF FUTURE GENERATIONS**

- 8.1 By conferring the Freedom of the Borough, Caerphilly County Borough Council gives an opportunity to recognise the achievements and work of individuals and organisations within its community. The Wellbeing of Future Generations Act asks public bodies to work towards achieving a Wales of cohesive communities. Therefore, by recognising the charitable work of the Royal British Legion the Council can publicly thank the RBL and also the wide range of people in the county borough who raise funds every year to support the RBL.

## 9. **EQUALITIES IMPLICATIONS**

- 9.1 There are no equalities implications in this report.

## 10. **FINANCIAL IMPLICATIONS**

- 10.1 The Local Government, Planning and Land Act 1980 provides that the Authority may spend such reasonable sum as they think fit for the purpose of presenting an address or a casket containing an address to any person admitted to be an honorary freeman.
- 10.2 The ceremonial presentation and reception for each nominee shall be funded from the Mayoral office funds in consultation with the Chief Executive and Leader of the Council.

## **11. PERSONNEL IMPLICATIONS**

11.1 There are no personnel implications.

## **12. CONSULTATIONS**

12.1 There are no consultation responses not included within this report.

## **13. STATUTORY POWER**

13.1 The Local Government Act 1972, (as amended) and The Local Government, Planning and Land Act 1980.

Author: Catherine Forbes-Thompson, Scrutiny Manager, [forbec1@caerphilly.gov.uk](mailto:forbec1@caerphilly.gov.uk)

Consultees: Christina Harrhy Chief Executive,  
Richard Edmunds, Corporate Director Education and Corporate Services,  
Robert Tranter Head of legal and Monitoring Officer  
Lisa Lane Deputy Monitoring Officer and Head of Democratic Services  
Cllr P Marsden, Council Leader  
Cllr C Mann, Plaid Cymru Group Leader  
Cllr G Simmonds, Independents Group Leader

Background Papers:

Council report 29th January 2008.

Appendices:

Appendix 1 Nomination Form Freedom of the Borough, Royal British Legion