

TOWN COUNCIL

DATE: 7 February 2024

REPORT OF: TOWN CLERK

SUBJECT: FREEMEN OF THE PARISH

PART I

RECOMMENDATION

The Town Council is recommended to

- (a) adopt Section 29 of the Local Democracy, Economic Development and Construction Act 2009 allowing it to grant the title of Honorary Freeman, Freewoman, or Freeperson of the Parish of Dawlish, and*
- (b) approve the proposed amendment to Standing Orders to enable the Council to have a mechanism by which to afford a person deemed eligible to be awarded the honour of being a Freeman / Woman / Person of the Parish.**

1. BACKGROUND

- 1.1 Section 249 of the Local Government Act 1972 confers power on a local council to admit honorary freemen or honorary freewomen of its area, persons who it considers to be of distinction, and persons who have rendered eminent service to that place or area. Section 249(9) of the 1972 Act (as amended) enables councils to spend reasonable sums of money in the exercise of these powers.

2. CURRENT SITUATION

- 2.1 Dawlish Town Council does not currently have a mechanism within standing orders that permit such an honour to be conferred on a person of distinction or a person who has rendered eminent service to the place or area.

3. PROPOSAL

- 3.1 To confer such an honour, a specially convened meeting of the Town Council must be held (subject to the normal periods of notice being given), and a resolution to confer

DAWLISH TOWN COUNCIL

the honour must be passed by not less than two thirds of the members present and voting.

- 3.2 The Town Clerk has obtained NALC¹ legal opinion regards the wording of the honour, specifically surrounding gender neutrality. Their advice is that it is a matter for the local council. Their opinion is that the law today would be written with non-gendered terms. Therefore, it is recommended that were an honour to be bestowed on an individual, the Council confirms with the intended recipient their preference of Freeman, Freewoman, or Freeperson for the purposes of the honour.
- 3.2 The act of honouring an individual does not confer any material honours or privileges, nor does it entitle the person to participate in the proceedings of the council meetings or in any ceremonial events. It is purely and simply for merit. It is proposed that any such recipient be invited to all Dawlish Town Council civic events.
- 3.3 Having resolved to make such an award, the Town Council may wish to record it for posterity. One way to enable this would be to have a roll of honour (similar to the Mayor's, and Town Clerk's boards in the Council Chamber), and to present the recipient with an illuminated address as a permanent record of the award, contained within a suitable casket.
- 3.4 To mark the event, a special meeting of the Council could be convened at which the Mayor would make the presentation. Also, this could be made by the outgoing Mayor at the Annual Meeting of the Town Council in May of that year. In either case, it would be appropriate to invite local dignitaries and media to witness and mark the rare occasion.

4. PROPOSED STANDING ORDER

- 4.1 The Town Council is recommended therefore to amend standing orders by including a new standing order to read as follows:

30. Grant of the Title of Freeman/Woman of the Parish of Dawlish

The Council has formally adopted Section 29 of the Local Democracy, Economic Development and Construction Act 2009 allowing it to grant the title of Honorary Freeman, Freewoman, or Freeperson of the Parish of Dawlish.

A decision to bestow such an honour is required to be made at a meeting of the Council specifically called for that purpose. Additionally, at least two-thirds of those present and voting must vote in favour of the proposal to confer the honour.

The rights attached to the honorary position are not stipulated in legislation, therefore, this Council will invite its Honorary Freeman/Woman/Person to all

¹ National Association of Local Councils

DAWLISH TOWN COUNCIL

civic events. An illuminated scroll, held in a casket, and badge of honour will be presented to the Honorary Freeman/Woman/Person.

Andrew McKenzie
Town Clerk