

Freeman of the Borough

By section 249(5) of the Local Government Act 1972 amended by section 180 of the Local Government Planning and Land Act 1980), a Borough or City Council may admit "persons of distinction and persons who have in the opinion of the Council, rendered eminent services to the city, borough or royal borough" as Honorary Freeman.

Similarly, section 249(5) was amended by the Local Government Planning and Land Act 1980 to give Parish and Community Councils which have been granted the status of City the same power to appoint Honorary Freemen.

A resolution passed by not less than two-thirds of the members voting at a specially convened meeting is required to admit the Honorary Freeman but this does not confer any rights upon them.

However, the conferring of the title of Honorary Freeman is the highest honour that a Council of a City or Borough can bestow and, in the view of many, should not be given too often. The resolution should recite the particular grounds upon which the Council have come to their decision, and details of the public services rendered by the recipient should be included.

In some cases, the freedom resolution is passed at a special meeting of the Council and the formal presentation takes place at a special ceremony later. Whilst it is obviously necessary for the Council to give authority for admitting an Honorary Freeman well in advance of the ceremony, it is felt that the passing of the resolution and conferring of the honour on the recipient should take place at one ceremony if at all possible. This clearly requires that sufficient support for the resolution is secured beforehand and this should be done discretely and sensitively.

After the passing of the resolution, a newly admitted Freeman may, depending on custom, take the appropriate Freeman's Oath and sign the Freeman's Roll, his or her signature being witnessed by the Mayor and Chief Executive.

A sealed and illuminated certificate of the grant of the Honorary Freedom, incorporating a copy of the formal resolution, contained in a suitable casket is then usually presented to the newly appointed Honorary Freeman by the Mayor and an opportunity given for the recipient to reply.

Specimen orders of proceedings are shown at Appendices 24-26.

Associated with the "Freedom of the Borough" is the "Freedom of Entry" which has been granted by a number of Cities and Boroughs to service units (regiments, ships of the Royal Navy, R.A.F. stations, etc.) which have rendered conspicuous service and which are closely associated with the City or Borough. The ceremony may differ slightly from the above as it could not easily be carried out at an actual Council meeting as a fully representative body of troops from the unit may not be able to be present. The necessary formal resolution is therefore sometimes first passed at a special meeting of the Council and the "Freedom" formally presented at a special ceremony, often held outdoors (see Appendix 27).

The so called "Freedom" - to march through the streets of the Borough with bayonets fixed, drums beating, and Colours flying - is really an empty grant as, outside the City of London where the right has been zealously guarded for centuries, it does not

seem that any City or Borough would be entitled to prevent units of Her Majesty's Forces from marching in the town. However, the practice has now been generally accepted and provides a dignified and satisfactory means of enabling a City or Borough to honour a distinguished unit of Her Majesty's forces.

Following both local government reorganisation and reorganisation of the armed forces, questions arise as to whether a Freedom of Entry granted by a former City or Borough is still valid and whether such a Freedom granted to a unit of the Armed Forces which has been absorbed into a new unit can be exercised by that new unit.

So far as the grant of Freedom of Entry by a former City or Borough is concerned, subsection 1 of section 248 of the Local Government Act 1972 provides "Nothing in this Act shall affect any person's status... as a Freeman of a place which is an existing Borough" and subsection 4 of the same section provides "After 31st March 1974:- a Freeman of a City or Town... shall have and enjoy the same rights whether in respect of property or otherwise as where held and enjoyed on that date by a Freeman of that City or Town..." It would seem, therefore, that a Freedom of Entry granted by a former City or Borough remains valid and exercisable by the service unit to which it had been granted within the area of the former City or Borough.

In the case of a new service unit assuming honours granted by a City or Borough to a former service unit incorporated in it, the custom has developed that, as a matter of courtesy, the new unit informs the City or Borough of what has happened to the old unit and the City or Borough concerned usually confirms, formally or informally, that the new unit may continue to exercise the privileges granted to the old unit.

Where the "new" authority is a London Borough, City, Borough or Royal Borough, it is open to the authority to reaffirm a grant of Freedom of Entry and to extend the right not only to the whole area of the Borough but also to extend the grant to the service unit and its successors.

Honorary Freedom and Freedom of Entry

<u>Date</u>	<u>Name</u>
1896	Col. David Gamble, CB., JP
1897	Richard Pilkington, Esq., JP
1902	The Rt Hon Richard J Seddon, PC
1903	Josias Christopher Gamble, Esq., JP
1903	Thomas Cook, Esq., JP
1905	Col. W W Pilkington, VD, JP
1919	Henry Baker Bates, Esq., JP
1924	John Forster, Esq., OBE., JP
1966	Col G R Pilkington, DSO., JP

1968	The Lord Pilkington
1968	W Burrows, Esq., OBE., JP
1968	J E Hughes, Esq., OBE., MM., JP
1968	Mrs M A Shard, JP
1972	T Hignett, Esq
1972	J A Waring, Esq., JP
1972	Mrs R Houghton, JP
1972	A T Coe, Esq
1995	James Counce, Esq., MBE., JP
1997	The Lord Evans of Parkside
2000	Prof G W Ashworth, CBE., DL
2000	Kathleen Duffy, SRN
2000	Geoff E Duke, Esq., OBE
2000	Alex J Murphy, Esq., OBE
2000	Canon J Pennington
2000	A N Richards, Esq., MBE., JP
2001	St Helens Rugby League Football Club
2012	Servicemen and Servicewomen Past and Present
2012	Bill Ainscough and Langtree Group plc
2012	Chris Baybutt
2012	David Baybutt
2012	Eamonn McManus
2012	Jean Mulford
2012	Kirsty Pilkington
2012	Willowbrook Hospice