

## BABERGH DISTRICT COUNCIL

<b>From: Director of Corporate Services</b>	<b>Report Number: L89</b>
<b>To: COUNCIL</b>	<b>Date of meeting: 25 October 2011</b>

### DELEGATION OF POWERS TO APPOINT FREEMEN

#### 1. Purpose of Report

- 1.1 This report concerns a request received from Sudbury Town Council that the Council delegate to it the exercise of powers under Section 248 of the Local Government Act 1972 to install/create Freemen of the Borough of Sudbury.

#### 2. Recommendation

That the Council delegate to Sudbury Town Council those powers under Section 248 of the Local Government Act 1972 relating to the admission of Freemen of Sudbury and the maintenance of the associated records.

#### 3. Financial Implications

- 3.1 There is currently an annual budget of £500 for the administration of admission ceremonies, which would no longer be required.

#### 4. Risk Management

- 4.1 This report is most closely linked with the Council's Corporate / Significant Business Risk No. 2 (Efficiencies and Savings) and No. 4, Capacity. Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Efficiency and other savings or additional income not identified /achieved.	High	Catastrophic	Members continue to approve clear plans for strategic direction and priorities. Officers continue to identify specific savings areas.
Resources not concentrated on agreed strategic priorities	High	Critical	Manage budgets effectively to increase focus on key areas

#### 5. Consultations

- 5.1 Consultations have been undertaken with Sudbury Town Council, District Councillors for Sudbury and the Sudbury Freemen's Society.

## **6. Equality and Diversity Impact**

- 6.1 An Equality Impact Assessment (EqIA) has not been completed because this report does not raise any issues relevant to the equalities enactments.

## **7. Shared Service / Partnership Implications**

- 7.1 There are no shared service implications.

## **8. Key Information**

- 8.1 As a consequence of local government reorganisation in the 1970s, Babergh District Council became responsible for exercising the powers contained in Section 248 of the Local Government Act 1972 relating to the admission of Freemen within the old Borough of Sudbury.
- 8.2 Historically, this had been a matter presided over by the Mayor of Sudbury and administered by the Town Clerk but on 1 April 1974 Sudbury ceased to be a Borough and became a town with a Town Mayor. Since that date the Chairman of the District Council has been responsible for examining and approving claims for admission.
- 8.3 The position of “Freeman of Sudbury” is an ancient one and admission to the freedom is a right for children or grandchildren of past and existing freemen. Their privileges today are, however, few and the admission is in the most part a civic ceremonial event linked inextricably to the history and traditions of the ancient borough of Sudbury and to no other part of the Babergh District.
- 8.4 Sudbury Town Council has asked that in the interests of re-establishing a more direct link with the town, the District Council delegate the powers exercisable under Section 248 of the 1972 Act to the Town Council. Over the past ten years there have been seven admission ceremonies held at the Town Hall, Sudbury and 23 new freemen have been admitted. An annual budget of £500 is provided to pay for the ceremony and the staff resources needed to organise and support the event total a similar amount.
- 8.5 The three District Councillors who expressed a view indicated their agreement with the proposed transfer of powers. The Freemen’s Society, however, expressed concerns over the Town Council’s ability to devote sufficient resources to investigating a claim for admission where the claim was complex. The Town Council has replied that it has both the resources and the local knowledge to undertake the task, noting that it keeps (in excellent order) all the burial records, which can be just as complicated. Applicants for admission to the Freedom by descent are required to submit documentary evidence (in the form of original birth and marriage certificates) to support their claim. Under all the circumstances, it is recommended that the Town Council’s request be granted.

## **9. Appendices**

None

## 10. Background Documents

- Emails dated 11 August 2011 and 7 October from the Town Clerk of Sudbury;
- Email dated 7 September 2011 from Councillor John Sayers
- Email dated 7 September 2011 from Councillor Simon Barrett
- Email dated 7 September 2011 from Councillor Nigel Bennett
- Email dated 30 September 2011 from Mr Michael Wheeler, Chairman, Sudbury Freemen's Society

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