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HONORARY TITLES AND OFFICERS OF DIGNITY

Background

1. Individuals may enjoy special status in their local area in a variety of different ways. Such status can be by appointment, by conferment or by admission. This Legal Topic Note concentrates on the titles of freemen, officers of dignity and honorary freemen and freewomen. It will first consider the current situation in respect of the ancient titles of freemen and officers of dignity. Then it will outline the position in relation to the power to appoint honorary freemen and freewomen.

Freemen

2. 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 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. Now the admission of freemen (as opposed to honorary freemen and honorary freewomen) of a pre-1974 municipal borough is to be approved by the chairman of the district council of the district in which the former borough lies (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)).

Officers of dignity

3. Prior to local government reorganisation in 1974 a number of cities and boroughs exercised by charter, custom or statute powers to appoint local officers of dignity. Among these honorary appointments were sheriffs, high stewards, honorary recorders, honorary freemen and honorary aldermen. Where, as a result of local

government reorganisation, the area of an existing city or borough became a parish in England or a community in Wales having a separate council, any powers to appoint local officers of dignity became exercisable by the parish or community council (Section 246(3) of the Local Government Act 1972).

Honorary titles (honorary freemen and freewomen)

4. After local government reorganisation in 1974 a number of local authorities were given the power to admit honorary aldermen and freemen (section 249 of the 1972 Act). However, that power was not extended to parish councils in England or community councils in Wales. From 13 November 1980 any parish or community having by grant under the royal prerogative the status of city and any parish or community entitled by such grant to be called and styled a royal town to admit honorary freemen (section 180 of the Local Government, Planning and Land Act 1980). Only 10 local councils had the standing to confer the title of honorary freeman; seven in England (the councils of the cities of Chichester, Ely, Hereford, Lichfield, Ripon, Truro and Wells) and three in Wales (the councils of the Cities of Bangor and St Davids and the Royal Town of Caernarfon).
5. From 12 January 2010, 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 services to the council’s area (section 249(5) and (6) of the 1972 Act). 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 than less than two-thirds of the members of the council (Section 249(8) of the 1972 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 council meeting to itemise a motion to confer the title of honorary freeman or honorary freewoman. A local council may spend a reasonable sum as it thinks fit for the purpose of presenting an address or a casket containing an address to a person on whom it has conferred the title of honorary freeman or honorary freewoman (Section 249(9) of the 1972 Act).
6. Prior to the changes in the law set out above, some local councils, who wanted to honour local residents who rendered notable service to their town or community or who achieved national fame, conferred the titles “honorary citizen” or “honorary townsman” or “honorary burgess.” Given the current express powers to admit

“honorary freemen” and “honorary freewomen” it is no longer necessary (or possible) for local councils to confer other titles.

Other Legal Topic Notes (LTNs) relevant to this subject:

LTN	Title	Relevance
10	Royal Visits	Sets out information in respect of royal protocol and forms of address.

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