



CIVIC PROTOCOL FOR THE ROLES OF THE MAYOR, LEADER OF THE COUNCIL AND CHIEF EXECUTIVE

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1. THE ROLE OF MAYOR

- 1.1 The role of the Mayor is strictly a non-political one. The Mayor represents every section of the Hyndburn community and he or she should aim to promote a positive image of the Borough. The Mayor's role is civic and ceremonial, and the Mayor does not have any executive role in the running of the Borough.

In summary, the function of the Mayor (or the Deputy Mayor in the Mayor's absence) is:

- ◆ To uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary
- ◆ To preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of councillors and the interests of the community
- ◆ To ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which members who are not on the executive, or do not hold committee chairs, are able to hold the executive and committee chairs to account
- ◆ To represent the Council at Civic and Ceremonial functions and events
- ◆ To promote the Borough
- ◆ To raise money for the mayoral charities

- 1.2 The Mayor shall have precedence in the Borough, but not so as to prejudicially affect His Majesty's royal prerogative. The Mayor will determine attendance at events for which a specific invitation has been received by the Mayor's office. Representation of the Council on major civic or formal occasions shall be determined through the offices of the Mayor and Leader.
- 1.3 Expenditure from the Mayoral budget must be authorised by the Civic support staff following consultation with the Mayor.
- 1.4 Two weeks' notice should normally be given for all invitations to the Mayor. Events attended by the Mayor should be of a non-political nature. All invitations to the Mayor to attend civic / ceremonial events, or any proposal for a civic event or engagement however arising, should be passed to and processed by the civic support staff, who will liaise closely with the Mayor, conduct any necessary research and advise the Mayor on the suitability of the engagement. All arrangements for the Mayor's attendance at engagements will be co-ordinated by the civic support staff.
- 1.5 The Mayor is expected to show consideration and respect for Mayoral support staff and recognise the right of such staff to adequate free time in the programming of civic functions. The mayor's attendant and civic support staff's role is to support the Mayor in his or her civic and ceremonial capacity only.
- 1.6 At the closure time of any event, it should be recognised that the Mayor's attendant will withdraw from the event with the chains of office.

- 1.7 When undertaking their civic and ceremonial role, the Mayor (or Deputy Mayor in the Mayor's absence) shall:
- i. Not bring the Council into disrepute;
 - ii. Take advice from the civic support staff
 - iii. Not solicit gifts, engagements or visits or otherwise procure favours by virtue of their office
 - iv. Respect the requirement to operate the mayoralty within the civic services budget
 - v. Behave in a manner appropriate and fitting to their position as first citizen of the Borough (and a breach of this Protocol may constitute a breach of the member code of conduct)

2.1 THE ROLE OF LEADER OF THE COUNCIL

- 2.1 The role and function of the Leader (as contained within Article 2 of the Constitution) is:
- ◆ To provide the Council's overall corporate and strategic direction, budget strategy and policy development
 - ◆ To chair the Cabinet and be the principal spokesperson for the Council
 - ◆ To promote Council initiatives and objectives
 - ◆ To represent the Council at civic and ceremonial functions
- 2.2 The Leader will determine attendance at events for which a specific invitation has been received by the Leader's office or for major civic or formal occasions, in consultation with the Mayor's office.
- 2.3 To facilitate attendance at events, two weeks' prior notice should be given.
- 2.4 The Leader is expected to show consideration for support staff involved in any event.
- 2.5 In the event of the Leader being unavailable, the Leader's office will appoint a representative.

3. THE ROLE OF CHIEF EXECUTIVE

- 3.1 The principal functions and areas of responsibility of the Chief Executive (as contained in Article 12 of the Constitution) are:
- ◆ To provide overall corporate management and operational responsibility (including overall management responsibility for all officers)
 - ◆ To provide professional advice to all parties in the decision making process
 - ◆ Together with the Monitoring Officer, to be responsible for a system of record keeping for all the Council's decisions
 - ◆ To represent the Council on partnership and external bodies (as required by statute or the Council)

4. COUNCIL MEETINGS

4.1 Conduct at Council Meetings

4.1.1 The rules governing conduct at meetings of the Council are contained in the Council's constitution. Members of the Council should have respect for the Chair at all times and the following rules shall apply:-

- ◆ Whenever the Mayor speaks during the meeting a member then speaking shall be silent
- ◆ Members must stand to address the Mayor and Council but only when called on by the Mayor to do so (the exception is to draw attention to a point of order or a personal explanation)
- ◆ The ruling of the Mayor on a point of order or on the admissibility of a personal explanation shall not be open to discussion
- ◆ The ruling of the Mayor will be final

4.2 The Mayor's Views

It is not normally part of the mayoral role to comment on matters before the Council in a way which supports or opposes the issue before the Council

4.3 Mayor's Casting Vote

4.3.1 Although there are no legal restrictions on the exercise of the casting vote, our convention and practice is that, if the voting on a matter is tied, the second or casting vote of the Mayor shall be cast with the controlling group. The exception to this requirement shall be in respect of those issues where the parties have declared that the vote will not be subject to the whip and in such cases the Mayor will be free to cast his/her second or casting vote in whichever way he/she may choose (Council Procedure Rule A16.2).

4.3.2 This also applies if the Deputy Mayor is called upon to chair the Council meeting.

4.4 Dates of Council Meetings

4.4.1 Ordinary meetings shall be held at the dates and times agreed at the annual meeting. The date and time of an ordinary meeting may be changed with the consent of the Chief Executive.

4.4.2 On occasions when it is necessary to change the date of the Council meeting or to arrange an extra ordinary meeting, it is custom and practice to consult with the Mayor, Leader of the Council and Leader of the Opposition to agree an alternative/new date.

4.5 Annual Meeting of the Council and Mayor-making

4.5.1 In a year when there is an ordinary election of councillors, the annual meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting will take place in April or May. The date and time of the annual meeting may be changed with the consent of the Chief Executive (Council Procedure Rule A1.1).

4.5.2 The Mayor may invite a maximum of 20 personal guests to attend the celebration meal following Mayor-making at the Council's expense. The Leader is entitled to a maximum of 8 personal guests to attend the celebration meal, to be funded from the Mayoral budget. Councillors and their guests are expected to pay for their own meal.

- 4.5.3 Past Mayors and past Mayoresses/Consorts may attend at the Council's expense and bring one guest of their choice to the Mayor-making ceremony and meal. The guests will be expected to pay for their own meals. The invitation to the past Mayor will cease on his/her death.
- 4.5.4 Aldermen and Freemen may attend and bring one guest of their choice at the Council's expense. An Alderman who has been re-elected to serve as a councillor will be expected to pay for their meal, unless another exemption applies.

4.6 Dress Code

- 4.6.1 At meetings of the Council, Members of the Council should dress appropriately for a formal Council meeting.

5. USE OF MAYOR'S PARLOUR

- 5.1 The Mayor's Parlour is to be used for entertaining and meeting civic dignitaries in conjunction with the role of Mayor. The Mayor's Parlour is also used by the Mayor and Chief Executive for the purposes of preparation for Council meetings and civic events. Following a meeting of the Council, the Mayor, Chief Executive, Leader, Deputy Leader, Opposition Leader will retire to the Mayor's Parlour along with any other guests the Mayor may wish to invite. The Mayor is not to use the Mayor's Parlour other than for civic and ceremonial purposes without the consent of the Chief Executive
- 5.2 The Mayor's Parlour should remain solely for use by the Mayor and requests for use of the Parlour by other parties will only be granted in exceptional circumstances. Requests for use of the Mayor's Parlour shall be agreed by the Mayor in consultation with the Chief Executive.
- 5.3 In the case of an approved letting of the Council Chamber to a third party by Hydburn Leisure, the booking of Mayor's Parlour for use as an anteroom will be permitted by agreement with the Civic Office.

6. USE OF MAYORAL CHAINS

- 6.1 During the term of office of the Mayor, the Chains of Office shall be worn when carrying out official duties in the office of Mayor which shall be defined as:
- ◆ Chairing meetings of the Council
 - ◆ Attendance at civic events organised by Hyndburn Borough Council
 - ◆ Attendance at civic events organised by other local authorities
 - ◆ Attendance at events where an official invitation has been issued to the Mayor in advance and the purpose and details of the event have been supplied to the Civic support staff
 - ◆ Funerals of current Councillors or past Mayors, Leaders or Chairs of former urban districts
- 6.3 The Mayor will wear only the Hyndburn Chains of Office when attending civic functions. Any requests by the Mayor in office for use of the Chains of Office other than on those occasions as described above will be determined by the Chief Executive in consultation with the Leader of the Council.

- 6.4 There may be exceptional circumstances when it is appropriate for the Mayor and/or Mayoress and the Deputy Mayor to wear their chains of office at the same event. These exceptions shall apply only in respect of civic events organised by Hyndburn Borough Council.
- 6.5 On occasions, when the Mayor attends an official event and is not accompanied by an attendant, the Mayor's badge can be worn to signify the Mayor's position.
- 6.6 Any requests for use of the chains or fobs of the former urban districts by the Mayor will be determined by the Chief Executive in consultation with the Leader of the Council. Use of these items will be strictly restricted due to budgetary and insurance implications.

7. USE OF CIVIC CAR

- 7.1 The Mayoral Car shall only be used by the Mayor the following occasions:-
- ◆ Chairing meetings of the Council
 - ◆ Attendance at Civic events organised by Hyndburn Borough Council
 - ◆ Attendance at Civic events organised by other local authorities
 - ◆ Attendance at events where an official invitation has been issued in advance and the purpose and details of the event have been supplied to the civic support staff
- 7.2 Requests for use of the Mayoral car for other events/occasions will be determined by the Chief Executive, in consultation with the Mayor and Leader of the Council, providing that there is no conflict between the requirements of the Mayor for use of the vehicle for civic events. In the event of a clash, the Mayor shall have precedence.
- 7.3 Where it is necessary to transport people who are accompanying the Mayor on civic duties, arrangements shall be made with the Civic support staff. Up to 4 passengers may be carried on such occasions.

8. ROLE OF DEPUTY MAYOR IN MAYOR'S ABSENCE

- 8.1 If the Mayor is unavailable to attend a Mayoral function, the Deputy Mayor will represent the Council on his/her behalf.
- 8.3 Where a commitment has been given for the Deputy Mayor to represent the Council at an event, the commitment should be honoured. The only exceptions to this will be in the event of the illness of the Deputy Mayor (or in the event of a family bereavement) where the Mayor finds he/she available to attend the function.
- 8.4 If neither the Mayor nor Deputy Mayor is available to attend a function, the Mayor Designate shall be invited to attend.

9. USE OF HYNDBURN COAT OF ARMS

- 9.1 Any requests for use of the Hyndburn coat of arms (as distinct from the corporate logo which incorporates the Hyndburn coat of arms) and the town crests will be determined by the Leader.

10. RULES OF PRECEDENCE AT CIVIC EVENTS

- 10.1 The Mayor takes precedence over all persons in the Borough whether or not he/she is wearing the chains of office. When the Mayor is not occupying the chair at any function he/she should be seated on the immediate right of the Chairman and the Mayoress (or Consort) seated on the left of the Chairman (unless the Lord Lieutenant of the County is present, in which case the Mayor should be seated on the left of the Chairman with the Mayoress (or Consort) on his/her immediate left)
- 10.2 At Civic Events organised by Hyndburn Borough Council the Order of Precedence will be as follows:-
- 1 Mayor (and Mayoress/Consort if present)
 - 2 Leader (and Deputy Leader if present)
 - 3 Deputy Mayor (and Deputy Mayoress / Consort if present)
 - 4 Chief Executive
 - 5 Member of Parliament
 - 6 Divisional Police Commander or representative
 - 7 Mayor's Chaplain (where appropriate)
 - 8 Leader of the Main Opposition Group
 - 9 Deputy Leader of the Main Opposition Group
 - 10 Members of the Council
 - 11 Officers of the Council

Note 1: The Mayoress/Consort and Deputy Mayoress/Consort will be recognised as part of the official party in determining any line-up/seating arrangements for civic processions/events.

Note 2: Where the occasion allows for the attendance of spouses/partners/guests, they will be included in the official party and positioned accordingly. In the event of any dispute the order of precedence will be determined by the Chief Executive.

11 The Mayor's Charity

- 11.1 The Hyndburn Mayoral Charity is a separate legal entity from the Council. It appoints up to four trustees, *ex officio*, who are officers of the Council. The trustees are responsible for the governance and operation of the Charity.
- 11.2 It is expected that the Mayor's Charity will undertake all fund raising and its own administration. The Mayor may appoint a Charity Committee to assist in the planning and delivery of fund-raising activities and events. However, the civic support staff are happy to advise the charity as to the suitability of events, appropriate procedures and matters of protocol if required.
- 11.3 The Mayor's charity has been registered with the Charity Commission. A bank account is held with the National Westminster Bank and civic support staff will undertake the day to day administration of this account. All monies raised during the Mayor's year of office will be distributed to the Mayor's chosen charities as soon as possible after the end of the Mayor's term of office.

12 Support to Charities

- 12.1 The Mayor may select one or more charities which he or she will support. These charities will already be established and registered with the Charity Commission. If, in the opinion of the Chief Executive, any charity is unacceptable for legal, financial or reputational reasons, the Mayor shall select an alternative.

13 Media and Publicity

- 13.1 It is inappropriate for the Mayor to appear in any electoral material, whether associated with their own election or that of another candidate, in any official regalia or robes. The Mayor should use all reasonable endeavours to stop this occurring.
- 13.2 Given the status of the Mayor as first citizen of the Borough, any dealings with the media should be conducted through the Council's press officer on behalf of the Council. All official communication relating to the Council (but not on private matters) should be dealt with by the Council's press officer. Any private or party political communications issued to the media by the Mayor may bring their office into disrepute and the Mayor should seek advice from the press officer or civic support officers before doing so.
- 13.3 Once a commitment is given to the organiser of a function that the Mayor/Deputy Mayor will attend the function, organisers, having received such commitment, may give whatever publicity is required for the event and may quote the attendance on the Mayor/Deputy Mayor on posters and tickets.

14. REMEMBRANCE SUNDAY

- 14.1 The Royal British Legion or other local organisers are responsible for the Parades and Services to commemorate Remembrance Sunday held throughout the Borough. The Council (through the Civic support staff) provides administrative support for the organisation of these parades and services.
- 14.2 The Remembrance Sunday Parades and Services are Civic Events which require the attendance of the Mayor and Leader at certain locations. Other Members of the Council may be requested to attend Parades and Services throughout the Borough.
- 14.3 The Mayor and Leader will be expected to attend the Remembrance Sunday Parade and Service in Accrington and, by invitation and mutual agreement, can attend another service in their home towns.

15. CHRISTMAS LIGHTS OFFICIAL 'SWITCH ONS'

- 15.1 The Mayor shall switch on Accrington Christmas lights and may attend switch on events in other townships by invitation.

16. MAYOR'S BALL

- 16.1 This is an annual event where the primary purpose is to raise funds for the Mayoral Charity. The event should be self-funding.
- 16.2 The Mayor, with the assistance of his/her Charity Committee, will be responsible for arranging the Ball, including the hire of the venue, booking of caterers, tablecloths and decorations, entertainment and ancillary equipment, marketing and printing of tickets and the procurement of raffle, or auction, prizes for this event, as appropriate. The Mayor will consult the Civic Office about the proposed date of the Ball. The Civic Office will provide advice, as necessary, and facilitate the distribution of any tickets sold, the receipt and processing of any payments or donations made and the payment of any invoices received. Invoices received will require

signing off by the Mayor or Charity Committee prior to payment being made. The Mayoral Attendant will provide close support to the Mayor at the Ball.

- 16.3 Free use of the Ballroom at Accrington Town Hall is available for the Ball, but charges may apply for the use of other rooms including the kitchen, any drinks served and additional staffing required.
- 16.4 The Mayor and Mayoress/Consort will be entitled to attend the event for free. All other guests will be required to purchase tickets, the proceeds from which will be donated to charity. Tickets will be available for sale to the general public and businesses, and invitations will normally be sent to the following persons:
- The Lord Lieutenant of Lancashire and Spouse/Guest
 - The High Sheriff of Lancashire and Spouse/Guest
 - The Leader of the Council and Spouse/Guest
 - The Chief Executive and Spouse/Guest
 - The Deputy Mayor and Mayoress/Consort of Hyndburn
 - The Member of Parliament and Spouse/Guest
 - The Mayor's Chaplain and Spouse/Guest
 - The Chief Superintendent of Police and Spouse/Guest
 - The Chairman and Lady/Consort of Lancashire County Council
 - The Mayor and Mayoress/Consort of Bury MBC, each of the Lancashire district/unitary councils, and Clitheroe Town Council.

17. CRITERIA FOR SELECTION OF HONORARY FREEMEN AND ALDERMEN ¹

17.1 Selection Criteria: Freeman of the Borough

- a) The title of Honorary Freeman of the Borough is the highest honour that the Council can award, the right contained in S. 249 of the Local Government Act 1972.
- b) In keeping with the special nature of the award, conferment should be for those who have made a very significant contribution to the Borough.
- c) No more than one nomination will be made each year, unless there are exceptional circumstances.
- d) This honour will be restricted to a person who has made a significant contribution to the Borough over a period of more than 15 years.
- e) Self-nomination or lobbying may result in the nomination being rejected.
- f) Honorary Freemen will be invited to attend the following ceremonies:-
 - Annual Mayor Making Ceremony
 - Freedom of the Borough Ceremony
 - Civic processions
 - Special Memorial services

¹ Revised criteria approved by Council, 20th March 2014

- g) A nomination will be submitted to and considered in the first instance by Leader's Policy Development Board, with a recommendation to Council if the nomination is supported.

17.2 Selection Criteria: Honorary Alderman

- a) The title of Honorary Alderman will be awarded to an individual who has, in the opinion of the Council, rendered eminent service as a past member of the Council (Section 249 of the Local Government Act 1972).
- b) The criteria for selection shall be:
- 12 years' service
 - Consideration will be given to members not having 12 years' service but who have, during their years of office, held the title of Mayor, Mayoress, Consort, Leader of the Council or Leader of an Opposition group (providing the latter office was held for three years or more).
- c) If an Honorary Alderman is re-elected to the Council, the title will be held in abeyance until the end of the term of office
- d) Honorary Aldermen will be invited to attend the following ceremonies:-
- Annual Mayor Making Ceremony
 - Freedom of the Borough Ceremony
 - Civic processions
 - Special Memorial services
- e) A nomination will be submitted to and considered in the first instance by Leader's Policy Development Board, with a recommendation to Council if the nomination is supported.

18. **SELECTION OF NEW MAYORS / DEPUTY MAYORS**

- 18.1 As a general principle the Mayor should be selected on a fair and equitable basis, having regard to the various political groups represented on the Council and nominees for the office of Mayor will usually be expected to have served on the Council for a minimum of four years and gain the support of the majority of Councillors.
- 18.2 The Deputy Mayor shall be appointed annually at the Council's Annual Meeting and will take up office in the year before being elected Mayor.

ANNEX A

Flying the Flag on Hyndburn Borough Council Buildings and Sites

1. Union Flag

The union flag to be flown on Hyndburn Borough Council buildings (Accrington Town Hall and Oswaldtwistle Civic Arts Centre and Theatre) and on Town Square, Great Harwood on the following occasions:-

Full Mast:

Coronation (unless a bespoke Coronation flag is being flown)
King's Official Birthday
Commonwealth Day
St. George's Day (unless there is a single flag pole, which should instead fly the St George flag)
Armistice Day until Remembrance Sunday (or vice-versa if Remembrance Sunday is earlier)²
Visits of Distinguished Persons
Mayor's Sunday
Annual Meeting of Council and installation of Mayor
Conferring the Freedom of the Borough
Official opening of new public buildings

Half Mast:

On the deaths of:-

Members of the Royal Family
Serving or former Prime Ministers or Leaders of the Opposition
Local Members of Parliament
Former Mayors of Hyndburn Borough Council
Serving Councillors and Chief Officials
Former Councillors
Ex-Mayors and Chairmen respectively of the former Accrington Borough Council and the Urban District Councils
Honorary Freemen and Honorary Aldermen

2. St. George Flag³

The St. George Flag to be flown at full mast on Hyndburn Borough Council buildings (Accrington Town Hall and Oswaldtwistle Civic Arts Centre and Theatre) and on Town Square, Great Harwood on St. George's Day until the nearest Sunday to the Scouts' annual St. George's Day Service (or vice-versa if the Service is earlier).

Exceptions to the policy, including requests to fly a flag other than the union flag, are determined by the Chief Executive, in consultation with the Mayor and Group Leaders⁴. A general exception to the above policy allowing the Union and St George flag to be flown continuously is currently in place.

² confirmed at Leader's Policy Development Board on 24th June 2014

³ confirmed at Leader's Policy Development Board on 24th June 2014

⁴ Scheme of Delegation – Delegation to Chief Executive, para.2.10