

***Note: The following Code of Practice has been updated to take account of the views of the Civic Sub-Committee on 9<sup>th</sup> February 2010.***

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## **THE MAYORALTY - CODE OF (MAYOR AND DEPUTY MAYOR) PRACTICE**

### **1. General**

The Mayoralty (or Chairmanship of the Council) is the most exalted position within the gift of the Council. Officers and staff must, at all times, respect the Mayor and show deference to his office. Throughout this Code of Practice the word 'his' is not gender specific. As Chairman of the Council his authority is derived from the Local Government Act of 1972, Section 3, and his construction or application of any of the Council's Constitution, or as to the proceedings of the Council, should not be challenged.

### **2. Policy Developments**

The Mayor throughout his term of office should remain impartial in all matters of policy and should not be involved in the direction of affairs or get involved in any campaigns. But should matters be raised with him, he should take no action and instead raise the matter in the first instance with the Leader of the Council or the appropriate Cabinet Member or Department for action. Where there are matters of Policy, all press enquiries should be made via the Council's Communications Team.

### **3. Controversial Activities**

The Mayor should not become involved in Council Policy or activities of a controversial nature. Where the Mayor is confronted with a controversy or enquiries on matters of policy he should refer the matter to the appropriate Cabinet Member.

Where there are matters of a controversial nature, all press enquiries should be made via the Council's Communications Team.

### **4. Political Events**

The Mayor should take no active involvement in political events, particularly formal meetings, and may therefore choose not attend group meetings during his year of office.

It would be a matter for the Mayor's discretion as to whether he attended social functions arranged by political parties, but if so attending should not attend as Mayor of the Borough but as a private individual.

### **5. Relationship with Cabinet Members**

The Mayor should not normally become involved in any matter, which is within

the role of a Cabinet Member, but if an occasion arises, as indicated in (2) above, then the Mayor should receive the fullest support of the appropriate Cabinet Member, or the appropriate Director.

As the Chairman of the Council, the Mayor should be regularly briefed by officers, via regular diarised meetings, as to current policy.

## **6. Other Appointments**

The Mayor should not be appointed as Chairman or Vice-Chairman of any Committee or Sub-Committee of the Council. He may accept ex officio positions with an outside organisation or body where his membership stems from his position as Mayor for the time being. He may attend the annual meeting or other special meetings of an outside organisation or body and may accept the position of patron or president, but should not become actively involved during his term of office.

## **7. Selection of Mayor**

The Deputy Mayor will normally succeed to the Mayoralty in the following year. The selection process should normally ensure that, upon election to office, the Mayor will have served at least one term of office as a local authority Councillor.

## **8. Civic Services**

The venue for the Civic Service will be chosen by the Mayor. It is often the case that the Mayor will be invited to visit his own church during the term in office, however, this is not a Civic Service as such, it is a 'civic presence'. The Mayor, at his own choice, may designate a Civic Church for his term of office.

## **9. Civic Duties**

In his capacity as the Civic Head, or First Citizen, the Mayor represents the Sovereign in the Borough, ranking in precedence only after the Lord Lieutenant (if attending in his official capacity representing the Queen) and members of the Royal Family. He should, therefore, officiate at all formal civic events involving the Council, the public and press. In his absence the Deputy Mayor should officiate, or at the Mayor's discretion, the appropriate Portfolio Holder- but always subject to the Mayor's ruling.

## **10. Mayoral Regalia and dress code for Members at meetings**

The Mayor and Deputy Mayor should wear their robes, chains and badges of office on all formal occasions within the Borough. At meetings of the Council the Mayor and Deputy Mayor should wear their robes, chains and badges of office provided that at the discretion of the Mayor, in the light of prevailing weather conditions, the wearing of robes may be dispensed with.

The Mayor and Deputy Mayor should wear their chains and badges of office

when attending functions unless, at their discretion, the badges of office or a ribbon would be more appropriate.

Members of the Council should also always be appropriately dressed at Council meetings as a mark of respect to the Mayor. At the discretion of and with the permission of the Mayor, jackets may be removed during hot weather.

Members should also stand, as a mark of respect for the Mayor, when he enters and leaves the Council chamber at Council meetings, and when he enters a room in which a meeting is taking place.

### **11. Use of Mace**

The mace should be used on all Borough Ceremonial occasions and will be carried before the Mayor.

### **12. Chief Executive**

The wearing of regalia by the chief Executive on royal occasions, at Council meetings, at Mayor Making, and on other special occasions will be at the discretion of the Chief Executive, provided that, in respect of royal occasions, the advice of the royal office or Lord Lieutenant will be sought.

### **13. The Deputy Mayor**

Each year, the Deputy Mayor will be chosen for appointment by Council by the political group which has the majority of Council Members, provided that in making such choice, another political group or groups may be invited to put forward a nomination for consideration by the majority group.

The role of the Deputy Mayor should be one of support to the Mayor in fulfilment of civic engagements and to take the Chair in the absence of the Mayor at Council Meetings.

The Deputy Mayor, in consultation with the Chairman of the Governance and Constitution Committee, will decide how the Mayor Making ceremony will be organised, subject to advice from officers.

### **14. Mayoress or Consort and Deputy Mayoress or Consort**

There is no legal status for these offices, appointments being made on the invitation of the Mayor and Deputy Mayor respectively, subject, in the case of persons other than relatives being proposed, to appointments being at the discretion of the Sub-Committee.

### **15. Mayor's Chaplain**

The Mayor's Chaplain is his spiritual adviser and is appointed by the Mayor.

## **16. Administrative/Secretarial Support**

Administrative/secretarial, civic and administrative support is provided by staff of and under the control of the Democratic Services Manager.

The administrative/secretarial support will be responsible for making all arrangements for the attendance of the Mayor and Deputy Mayor at any event. (Note - The Communications Team will give such assistance as required to the Mayor and Deputy Mayor, see also paragraphs 2 and 3.)

## **17. Civic Cars**

The following rules will apply for the use of the official cars:

(a) The Mayor will have first claim on use of the civic cars, subject to (b) and (c) below, and the car bookings will be the responsibility of the personal assistant allotted to the Mayor. He/she will draw up the weekly list of engagements for the Mayor.

(b) The Deputy Mayor will be entitled to use a civic car when performing a duty at the request of, or on behalf of, the Mayor.

(c) The Mayoress/Consort and Deputy Mayoress/Consort will be entitled to use a civic car when performing a duty at the request of, or on behalf of the Mayor.

(d) On occasions (eg when no civic car is available due to maintenance etc), the Deputy Mayor may drive himself to engagements, but where considered appropriate, the administrative/secretarial support will arrange suitable alternative transport.

(e) For the avoidance of doubt, the civic cars may only be used for journeys directly associated with the performance of duties on behalf of the Borough Council arising from the office held by the user and will not be used for attendance at private functions unless prior arrangements have been made to reimburse the costs of driver and vehicle. The Mayor and/or Deputy Mayor will use the civic cars to convey them to and from meetings of the Council but will not use them for meetings of a Committee, Sub-Committee, etc. or of an outside body, which they are attending as an ordinary member, unless they are subsequently attending a public engagement.

(f) Because of the need to give the chauffeurs/civic attendants time off in lieu of hours worked or to arrange a substitute driver when they are not available, the maximum notice should be given of any engagements for the civic cars.

## **18. Accommodation**

The Mayor has the use of Parlours at Macclesfield Town Hall, the Municipal Buildings, Crewe and, on occasions, the Members Room at Westfields. These premises will be used by the Mayor for civic and social occasions only. When

necessary, the Mayor shall seek the assistance of officers in identifying other accommodation which he may need, in order to perform his civic functions.

### **19. Indisposition of the Mayor/Deputy Mayor**

In the event that, due to the indisposition for whatever reason, the Mayor could not reasonably be asked to fulfil the normally accepted duties of his post, the Deputy Mayor will be requested, for that period of time, to assume the full duties of the post of Mayor, but will not take the title.

In the event that, due to indisposition for whatever reason, the Deputy Mayor could not reasonably be asked to fulfil the duties of his post, the Deputy

Mayor Elect or the Leader of Council, will, for that period of time, assume the civic and social duties of the post of Deputy Mayor, but will not take the title.

### **20. Financial**

The allowances for the Mayor, Deputy Mayor and Civic Hospitality should be reviewed annually and increased by an appropriate amount to cover inflation.

When the Deputy Mayor is called upon to carry out the full duties of the Mayor for a period of two weeks or more, then an allowance of the difference between the Mayor's allowance and the Deputy Mayor's allowance will be paid for the period he so acts. Similar arrangements will apply in the case of the Deputy Mayor Elect.

The Civic Hospitality allowance is controlled by the Democratic Services Manager, and expenditure is subject to the approval of the Mayor and the Democratic Services Manager.

### **21. Civic Ceremonial and Procedure**

The former Mayors of the Council, and the last Mayors of the demised Cheshire East authorities will be presented with a medallion as a memento of their office which should be worn only at:-

- (a) Mayor-Making ceremonies;
- (b) Annual Meetings of the Council;
- (c) meetings of the Council when the Mayor is robed;
- (d) ceremonies or processions when robes are worn;
- (e) civic dinners, receptions or other social functions of a civic character within the Borough;
- (f) other civic functions within the Borough at the request of the Mayor;

(g) civic functions in another Authority's area only at the express invitation of the Mayor or Chairman concerned.

Preferential arrangements should be made at the Annual Council Meeting and on Civic Sunday for former Mayors.

## **22. Civic Events**

The list of invitations to the Civic Service will be examined and extended as necessary and invitations should be sent in the name of the Mayor.

## **23. Christmas Cards**

The persons to whom the Mayor sends Christmas cards, of his own choice, is a matter for his discretion. Only the cost of official cards and postage is borne by the Council.

## **24. Civic Hospitality - Mayor's At Home**

Light refreshments will be provided and arrangements will be reviewed regularly.

## **25. Acceptance of Invitations**

It is the wish of the Council that the Mayor should accept as many invitations as possible to attend events and functions to which he has been invited and that the services of the Deputy Mayor should also be used in the event of competing invitations being received.

Normally the Mayor is expected to accept the first invitation received for a particular time and date.

## **26. Mayor's Charity**

It should be borne in mind that any fundraising activities undertaken for the Mayor's Charity are the responsibility of the Mayor, the Mayoress and 'friends'. Fund raising is discretionary and does not form part of the Mayor's duties.

Officers will only provide support to the Mayor in respect of charitable activity at civic occasions, including the Mayoral Ball, including the selling of tickets and reservation of places. The Mayor may consider establishing a committee to assist in the planning and preparation for such activity.