INFORMATION FOR THE MAYOR

GREAT AYCLIFFE TOWN COUNCIL

MAY 2017
INTRODUCTION

The Information for the Mayor booklet has been provided to assist Mayors and Deputies to understand their roles and responsibilities and provide some useful information, which may be of assistance when undertaking the civic role.

The Civic Protocol is also included, which assists Mayors and Council staff to apply a consistent approach when dealing with issues connected to the civic function.

The object of the information is to try and ensure that your civic year runs as smoothly as possible.

Not all eventualities will be covered by this booklet but remember that assistance is always available at the Council Offices.

ACKNOWLEDGEMENTS

Town Council Officers would like to acknowledge the use of extracts from I&DeA Publication “Joining the Chain Gang” – Preparing for the role of Civic Mayor.

Along with the various Mayor’s who made contributions to that publication.
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Date Adopted: 5th December 2007 - Minute: 94
Amended – 17 May 2017
1. **BACKGROUND**

**Town Mayor**

Section 245 (6) of the Local Government Act 1972 gave Parish Councils the power by resolution to give themselves the title of Town Council and the Chairman of a Town Council is entitled to the style of 'Town Mayor'.

**NB** - A Town Mayor has the same rights and duties as a local Council Chairman.

**The Councillor becoming Mayor**

Being the Mayor is different from being a Councillor. A Mayor, by virtue of the Office, can use his/her decision to stimulate community pride, encourage business, promote the voluntary sector, mould social cohesion etc. A Mayor may also have many meetings with dignitaries, endless engagements, late nights, early mornings and is in the public eye for virtually the whole year.

For those chosen, or who are thinking of putting themselves forward for selection, one thing is clear - being Mayor is most different from being a Councillor, as it has different roles, different working hours, different restraints etc. However, it is also most probably a hugely enjoyable and rewarding job if entered into in the right spirit.

The Mayor is elected by the full Council at the Annual General meeting in May. A new Deputy Mayor is also elected at this meeting. The new Mayor makes the following declaration when accepting the term of office at the Annual General Meeting:

“I……………..having been elected to the Office of Chairman (Mayor) for the Town of Great Aycliffe, hereby declare that I take the said Office upon myself, and will duly and faithfully fulfil the duties thereof according to the best of my knowledge and ability. “

The Mayor’s term in office is for one year and during this time the Mayor continues to be a Member of the Council and presides over the meetings of the Council.
2. ROLE OF THE MAYOR

During the Civic year, the Mayor supports a wide variety of events throughout the area. The Mayor receives invitations to all kinds of events and every invitation is considered equally. If the Mayor can not attend a function, the Deputy Mayor may be asked to attend on his/her behalf.

Duties which the Mayor may carry out include:

- Organising events to raise funds for the Mayor’s chosen charities
- Acting as host on behalf of the Council at functions organised by the Council
- Attending functions within Aycliffe and County Durham as a ceremonial representative of the Council
- Undertaking official openings or presentations at places through Aycliffe and County Durham on behalf of the Town Council
- Representing the Council during royal visits to the town

The Mayor will choose their partner to attend specific events and that person will be permitted to wear the official Mayoress / Consort Chain of Office.

When representing the Town Council, the Mayor and consort will normally wear the official Chains of Office. The Chains of Office will normally be worn at all official functions within the Town. They are also usually worn at functions outside of the town when invited in an official capacity, although there are some exceptions to this which are usually specified in the official invitation.

Role Profile – the key skills of a Mayor

Leadership

- Advanced ambassadorial skills to be able to represent the council in a variety of settings.
- Mentoring to the Deputy Mayor.
- Ability to lead civic ceremonies, promote the civic role and encourage community participation.
- Ability to carry out the role with dignity and gravitas, affording the office of Mayor respect.

Chairing

- Advanced chairing skills, in order to manage the business of full council meetings.
- Organisational skills.
- Ability to plan and prioritise meetings / events and entrust engagements to the Deputy Mayor.

Team Working and Relationship Building

- Ability to build strong, effective relationships between the council, its partners and communities.
- Ability to act with political neutrality.
- Tact, diplomacy and the ability to mediate and broker agreement across political groups.

Communication

- Ability to communicate the council’s messages and themes out into the community and to work towards achieving the council’s social, economic and environmental aims.
- Advanced listening and public speaking skills and basic speech-writing skills.

Knowledge

- Advanced knowledge of the civic role and responsibilities and the council’s Code of Conduct and constitutional arrangements.
- Advanced knowledge and understanding of the customs and beliefs of different cultural groups which make up the diverse community of the council area.

Adapted from Kirklees MBCs role profile for a Mayor / Deputy Mayor. Extract adapted from ‘Joining the Chain Gang’ IDEA.

<table>
<thead>
<tr>
<th>Preparing for the Role : Hints and Tips</th>
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<tbody>
<tr>
<td>Be Committed</td>
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<tr>
<td>There can be a heavy time commitment. In effect you are giving up a year of your life to council duties. Belief and self-motivation are essential.</td>
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<tr>
<td>Get your family behind you</td>
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<tr>
<td>Recognise the likely impact on those close to you, especially your partner and/or any family member you have chosen as your Mayoress / Consort.</td>
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<td>Get advice</td>
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<td>Check and practice your skills</td>
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<td>Talk to your officers</td>
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<tr>
<td>Read the Handbook</td>
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<tr>
<td>Check your wardrobe</td>
</tr>
<tr>
<td>Stay healthy</td>
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<tr>
<td>Start distancing yourself from controversial matters</td>
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3. **CHAIRING COUNCIL MEETINGS**

**The Basics**

Legally, the primary duty as Town Mayor is to act as Chairman in presiding over meetings of the Full Council. In this role, you must ensure the proper conduct of meetings in compliance with both the law and the council’s own Standing Orders and procedural rules. You are also required to:
• Determine whether or not to call an extraordinary meeting of the Council; and

• Exercise, if you wish to, a second or ‘casting’ vote at council in the event of an equal vote on any issues. In the role, you will be advised by the council’s Monitoring Officer and Town Clerk.

During your term of office, you are expected to remain politically impartial, particularly in relation to sensitive political issues. Your political colleagues should support you in this and respect your neutrality, enabling the office of Mayor to be seen as ‘above politics’.

Effective Chairing

Council meetings are a mainstay of the political management process and it is your job to ensure that the business of the council is conducted effectively in the council chamber.

There are no hard and fast rules about how you chair a council meeting. The approach you take and the style you adopt will depend largely on the nature of the meetings, the people involved and your own personality.

One of the key tasks, however, will be to encourage participation and prompt discussion. This is primarily about creating the best conditions for others to engage in debate. Only through dialogue can you understand what people think and where they stand on any given subject.

Chairing council meetings can sometimes be a demanding process because of the personalities involved. People respond in different, sometimes unpredictable, ways when trying to convince others of their point of view – particularly when this is overlaid with the essential politics of local government. Arguments are common and conflict is not unusual. This is true enough in one to one situations, but is particularly so in meetings.

Recognising that people often behave differently in committees can help you, tactically, to be more effective in chairing meetings. Much of this is about watching and listening to group behaviour and exercising your own judgement about when to intervene and when to sit back as discussions unfold and people exchange views or come into conflict. For example:

• Who is contributing the most and least to the council’s debates – are they aware of it and could you challenge them?

• Who are the silent members – is their silence about dissent or fear and could your intervention encourage them to be more vocal?

• What is the atmosphere in the council chamber – could you mediate to create more congenial conditions?
Have the discussions reached a sticking point – could you broker some negotiation or compromise to move things forward?

As well as dealing with the inevitable political wrangling, you must remain impartial in dealing with the personalities involved. By being seen to be firm but even-handed in your chairing role, you should be able to articulate the areas of common ground that can help in building consensus on the contentious issues.

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### Chairing Council Meetings: Hints and Tips

<table>
<thead>
<tr>
<th><strong>Be seen as apolitical</strong></th>
<th>Be firm, but fair – with all sides. Look in all directions when inviting contributions and note who is waiting to speak.</th>
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</thead>
<tbody>
<tr>
<td><strong>Know your Standing Orders</strong></td>
<td>Without having to look them up – particularly those related to the rules of debate, motions, seconders, amendments, voting, points of order and personal explanations.</td>
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<tr>
<td><strong>Keep to time</strong></td>
<td>Be punctual, stick to the agenda and don’t let individual members ‘highjack’ the debate.</td>
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<tr>
<td><strong>Be attentive to the subject under discussion</strong></td>
<td>Prepare well and read the agenda papers thoroughly. Know what the ‘hot topics’ are and the points of likely contention.</td>
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<tr>
<td><strong>Have pre-meetings with officers</strong></td>
<td>Get to know what is really going on behind the scenes so that you can distance yourself from the contentious issues.</td>
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<tr>
<td><strong>Be human</strong></td>
<td>Keep calm, remain tolerant and be polite. Remember that a sense of humour can help in the right situations. Facilitate don’t dominate.</td>
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<tr>
<td><strong>Use the support available</strong></td>
<td>Ask for the advice of your officers if you feel exposed.</td>
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<tr>
<td><strong>Start distancing yourself from controversial matters</strong></td>
<td>Once you are Mayor you will need to be outside of party politics and non-partisan when chairing meetings. Don’t take on the role if you are not prepared to be apolitical for a year.</td>
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4. **MAYOR’S SECRETARY**

The Mayor is supported in his/her office by the Mayor’s Secretary. The Mayor’s Secretary is an employee of the Town Council who, as well as carrying out other duties for the Council, assists the Mayor with organising their term in office. This position involves arranging a meeting with the new Mayor once elected at the Annual Meeting to arrange the Civic Year, ie dates and venues of functions. Once the Civic Year is arranged, the Chairmen/Mayors of other local authorities are notified of the dates to ensure that no other events take place on the same dates.

The Mayor’s Secretary receives invitations for the Mayor and liaises with the Mayor before accepting/declining invitations. A diary is kept in the Town Council Offices of all events the Mayor is attending and the Mayor will always receive a copy of the invitation for information.

If the Mayor is unsure of anything or requires some guidance, then this should first be raised with the Mayor’s Secretary, who will provide the necessary information, occasionally this may also require the assistance of the Town Clerk.

**Transport**

The Mayor’s Secretary is responsible, where necessary, for arranging transport to the events.

The Civic Car may be used for civic events and up to two charity events for each Council as indicated on the Civic Dignitary invitation list (Appendix ‘E’).

It is normal practice for the Mayor to use their own transport (if available) for appointments within the Parish.

On some occasions it may be necessary to use a taxi for transport to events, this is kept to a minimum but is sometimes unavoidable.

5. **MAYOR’S CHARITY**

The Mayor’s Charity traditionally raises funds for local charities. It is advisable to choose the charity or charities to be supported at an early stage. The Mayor may decide on either one main charity to support or two or three local charities or good causes.

It is common to announce the chosen charity at the Annual General Meeting when the Mayor is elected.

The main contribution you can often make as Mayor is to raise the Charity’s profile rather than actually raising money.

Support will be given by the Council’s Administration Section. However, it is essential that a separate support mechanism is set up amongst colleagues, both
inside and outside the Council. This may be a separate formal charity committee or informal group of helpers.

The chosen charity will then be notified and all funds raised at the events to be held by the Mayor will be donated to the chosen charity at a presentation to be held at the end of the Mayor's year in office.

Funds raised for the Mayor's charities cannot be used for any other purpose other than as a donation to the charity identified when the funds were raised, save for to cover all reasonable costs to raise the funds.

Charity events vary with individual Mayors but may consist of:

- Charity golf competition and dinner
- Civic Ball – Raffle / Tombola
- Two Charity Nights
- Charity Stall

Other events may be organised by local organisations, clubs or institutions, with proceeds given to the Mayor's Charity. If the Mayor wishes to hold his/her own charity night, then he/she must discuss the proposal with the Council Leader and Town Clerk to be clear as to the full implications of so doing.

**Donations**

To enable the Mayor to raise funds for local charities, the Council relies on local businesses donating prizes to be used on raffles and tombolas.

Although many businesses do support the Mayor's Charity, there are still those who will not donate prizes. This is understandable given the number of requests that are received by companies. It may be necessary for the Mayor to visit local shops, pubs and businesses around the town to ask for prizes as sometimes the local shop owners/businesses prefer a more personal approach and have in the past been more likely to support the charity.

**Cheque Presentation**

The Mayor announces the total amount raised for his/her charity at the evening of the Annual General Meeting and presents the cheques to the charities nominated to receive the funds raised throughout the year. Local press are invited to attend but, if absent, photographs are taken and press releases sent to local newspapers for their use.
6. **MAYOR’S ALLOWANCE**

The Mayor may be paid an allowance to meet the expenses of his office (LGA 1972, ss 15(5) and 34(5). The Local Government Act does not stipulate the type or category of expenditure for which the Mayor may use the Civic Allowance. However, it is commonly described as recompense for the expenses of maintaining the dignity of the office. Furthermore, general items include:

- Clothing
- Partner’s clothing
- Donations to charities
- Collections
- Purchase of raffle tickets etc
- Personal hospitality (including lunches and dinners)
- One-off events held by the Mayor

It should be noted that the purchase of the above items would not qualify the allowance for tax-deductible purposes, it merely suggests that the items relate to maintaining the dignity of the office.

The Mayor has a number of budget headings within the precept to cover the duties of the Mayor, these are currently:

- Mayor’s Allowance
- Civic Ball
- Mayor’s At Home
- Civic Service
- Carol Service

It is important for the Mayor to plan the use of the allowance over the year.

Once the budget level has been reached, no payments can be made or further orders placed by Council staff.

You should also monitor your personal financial affairs and tax liabilities, e.g. the Inland Revenue has no special rules exempting payments to Mayors from tax. Unless an item of expenditure is ‘wholly, exclusively necessary for the performance of duty’ it will be subject to tax.
“As long as the Chairman’s allowance is a reasonable reimbursement of the expenses of an unpaid office, and contains no element of remuneration for the holder, HMRC treat it as not chargeable for tax, but they ask councils how much is paid; and, where it is thought that there might be an element of remuneration, they might ask Chairmen for details of the uses to which the allowances are put.”

(Extract from Charles Arnold-Baker – Local Council Administration)

7. **SUPPORT BY DEPUTY MAYOR**

The Member elected as Deputy Mayor will support the Mayor throughout the year by representing the Council when the Mayor is unable to.

If the Mayor is not present at a Council meeting, the Deputy Mayor must preside.

Some confusion has arisen in the past over the status of the Deputy Mayor. In effect, the Deputy Mayor has no standing as Deputy Mayor when the Mayor is present but assumes the precedence and standing of the Mayor when he/she is deputising for the Mayor rather than acting as Deputy.

The Deputy Mayor should not wear their Chain of Office in the presence of the Mayor of Great Aycliffe. (see Civic Protocol - Appendix ‘A’)

Invitations to the Deputy Mayor should be dealt with as follows:

- Invitations to functions should not be sent to (or solicited by) a Deputy Mayor. The Deputy Mayor should not attend functions in his/her own right but only when deputising for the Mayor

- All invitations should be sent for consideration to the Mayor as First Citizen and, if the Mayor cannot attend, it may be appropriate to ‘pass down’ an invitation. However, this should be by no means automatic or desirable

- On the rare occasion when the Deputy Mayor is invited to a function in his/her own right, there should be a clear procedure whereby the invitation is shown formally by the Mayor’s Secretary to the Mayor, in order that there is no misunderstanding

8. **CIVIC INSIGNIA**

The Mayor’s robes, chain and badge of office are the outward signs of the civic office held, ie its insignia.

The Mayor wears the robe of office at ceremonial occasions, such as the Civic Service, Remembrance Sunday, Freedom of the Town Events and Royal Visits (not always worn – See Legal Topic LTN10(7) at Appendix F)

The robes of office consist of a red robe, trimmed with fur, a black cocked hat and a lace stock worn around the neck.
NB - the hat is rarely worn by Mayors.

The chain and badge are worn with the robes but are often also worn without.

The Council has no formal protocol regarding the wearing of robes. However it is important to maintain the dignity of the office and that any use of the robe is not overdone or misused.

The Mayor should not wear the civic insignia in another area without express permission from that Council.

Civic chains should never be worn with a military uniform. However, a Mayor who is a member of the clergy may wear full canonicals with the chain over the gown. Similarly, the chain may be worn over academic dress.

Rules on wearing and removing the hat are somewhat irrelevant, as the hat is not often worn. However, guidance can be given by the Town Clerk if necessary on this matter.

Safety of the Chain – a separate protocol will be issued to the Mayor upon taking up their year of Office.

9. PRECEDENCE AND PROTOCOL

Town Mayor

A formal distinction has to be made between the style of address of a Mayor and that of a Town Mayor. It is suggested that, at least in the presence of the Borough Mayor, Town Mayor’s should be addressed as ‘Mr/Madam Town Mayor’.

NB - a female Mayor is not a Mayoress.

Precedence and protocol for visits and events is often set by custom and practice, with the exception of royal visits.

LTN10 has been attached to this section for information. However, the Mayor’s Secretary or Town Clerk will be able to offer advice and assistance on these matters.

10. RECEIPT OF GIFTS

In the course of the duty of being Mayor, often gifts will be offered to the Mayor. It is suggested that all Members should treat with extreme caution any offer of a gift, favour or hospitality that is made to them personally.

The Code of Conduct requires Members, including Mayors, to register any gifts or hospitality worth £50 or over that are received in connection with their official duties as a Member, and the source of the gift or hospitality.
You are personally responsible for all decisions connected with the acceptance or offer of gifts or hospitality and for avoiding the risk of damage to public confidence in local government.

You must register the gift or hospitality and its source within 28 days of receiving it.

The register to record such gifts will be kept by the Town Council and Durham County Council council’s Monitoring Officer, but it is your duty to complete the declaration.

Be aware that this will now be a personal interest. If a matter under consideration is likely to affect a person who gave you a gift or hospitality that is registered.

If in doubt, consult the Town Clerk.

11. **THE CIVIC YEAR - EVENTS**

Below is a list of typical events which are organised during the Mayor’s Year in Office. These dates are discussed and arranged during a meeting with the Mayor, Town Clerk / Leader and the Mayor’s Secretary at the beginning of each new year to suit the Mayor’s diary.

**Civic Service**

The Civic Service is held in one of the town churches according to the Mayor’s denomination. Consultation for the date of the Service is carried out by a meeting with the Vicar / Father of the church.

The Civic Service is usually the first event in the Mayor’s calendar, held traditionally in late June / early July.

Civic Dignitaries from our designated list together with colleagues, friends and family are invited and partake of refreshments at the conclusion of the service.

The Civic Robes are worn on this occasion.

**Mayor / Mayoress “At Home”**

This event has normally taken place prior to the summer holiday period usually around mid July time.

It takes the form of a reception / drinks in the grounds of the Council Offices (weather permitting) to be followed by suitable refreshments in the Council Chamber.
**Town and Community Carol Service**

This event is organised by the Newton Aycliffe Rotary Club and is held at a venue in the Town on a date to be arranged by the Rotary Club.

The Mayor is expected to attend and give a Christmas greeting at the close of the event to the audience.

**Civic Carol Service**

This is usually combined with the annual Carol Service at the Church of the Mayor's choice. Civic dignitaries and guests are invited to join the Mayor to celebrate Christmas.

Following the service refreshments are provided in a separate venue for everyone who has attended the event.

**Civic Ball**

The Civic Ball is the highlight of the Mayor's year and is held at an appropriate venue of the Mayor's choice and is attended by Civic Dignitaries, Councillors and Supporters.

The date of the Ball has usually been in February of each year.

**Charity Events**

Other events which have been organised in the Mayor's year are:

Annual Mayor's Golf Tournament

Charity Evenings (Usually 2 over the year)

Charity Stall

**Miscellaneous Events within the Town**

Various miscellaneous events are attended by the Mayor, examples of which are listed below:

- 50th / 60th / 65th Wedding Anniversaries
- 100th Birthdays
- Presentation of Flowers and Card
- Opening of a Fayre / Garden Party / Coffee Morning
Presenting Awards and Prizes to individuals and organisations

Presenting Medals to Children who attend the Sports Skills at the Oakleaf
(This also includes the overall prize of a Bicycle)

Entertaining guests and visitors at the Council Offices

Art Exhibitions and presentations at local schools

Firework Display and Poster Competition awards

Attending and meeting Royal Visitors to the Town, where appropriate.

Miscellaneous Events outside of the Town

The Mayor is invited to a number of events organised by Civic Dignitaries from the surrounding areas (see Appendix ‘E’) ie:

Events such as -

Civic Services
Civic Carol Services
Civic Dinners
Charity Evenings (Concerts, Ceilidh, Cabaret Nights)

12. DEALING WITH PRESS AND MEDIA

The Council has indicated in Standing Order 29 how relations with the media should be conducted:

Standing Order No. 29

(a) All requests from the press or other media for an oral or written statement or comment from the Council shall be cleared by the Town Clerk in consultation with the Chairman of the Council or the Chairman of the relevant Committee.

(b) Press reports from the Council, its Committees, or Working Groups should be from the Town Clerk or an authorised officer or via the reporter’s own attendance at a meeting.

(c) Unless a Councillor has been authorised by the Council to speak to the media on a particular issue, Councillors who are asked for a comment by the press should make it clear that it is a personal view and indicate that it be clearly reported as their personal view.

If the Mayor wishes to make a statement to the media it should be cleared by the Town Clerk.
Handling the Media – Hints and Tips

Don’t respond to press calls out of the blue – ask for background and the deadline – then respond. Identify key messages and good, punchy, quotations that can be presented to the media.

Don’t point the finger, complain or consistently say ‘no comment’ – you may get a bad reputation. Build a long-term relationship with the media, e.g. write features and suggest news stories.

Don’t use jargon, council-speak or inflammatory words – these might come back to haunt you. Act quickly and have a consistent approach to media handling – be honest, concise and helpful.

13. MAYOR’S END OF YEAR

The outgoing Mayor needs to consider a number of matters:

- Thanks to office and support staff is always welcome
- Thanks to the Mayor’s personal support people - partner, family, friends, etc
- Thanks to the Deputy Mayor for support and assistance
- Thanks to the Mayor’s Charity supports, those Councillors who have helped - and anyone else
- Talking to the successor, when announced, giving advice and information

The Mayor will also be given a selection of photographs which have recorded the Mayor’s activities over the preceding year, in a folder.
14. **ANNUAL PARISH MEETING – CHAIRMAN’S INFORMATION**

*Statement to Start the Meeting*

Welcome to the Annual Parish Meeting.

I, as Mayor of the Town Council, preside at this meeting as Chairman.

Public Notice of the meeting has been given as required.

May I remind you it is not a meeting of the Town Council but a meeting of electors registered in the Parish.

**Only** electors of the Parish are entitled to speak and vote at this meeting.

Electors should all have signed in and given their address.

Parish Meeting resolutions are not binding to the Town Council save in very limited circumstances where statute requires.

Parish Meeting and resolutions will be persuasive only and the Town Council will need to decide how it wishes to deal with them.

The Parish Meeting may also discuss / Parish / Town affairs extending to public activities or policies in the parish or any other local authority public body, government department of public service provided that they affect the parish specifically.

The Meeting is now called to order and will proceed as indicated on the agenda.

**ADDITIONAL INFORMATION**

*Admission* of the public and press will be the same as admission to a normal meeting of the Council.

**Parish Meeting**

The Parish Annual Meeting must take place between the 1<sup>st</sup> March and 1<sup>st</sup> June (both inclusive) in each year.

The Parish (Town) Meeting consists of local government electors registered for the area for which it is held i.e. Great Aycliffe area.

(Note: The Parish Annual Meeting is **not** the Town Council’s A.G.M.

The two meetings are held on different occasions to avoid confusion.

All parish electors are entitled to attend the Parish Meeting and **vote**.)
The quorum is two.

The press may attend.

The Mayor of the Council (Chair) must preside if present or if not present the Deputy Mayor (Vice Chair). If neither are present the meeting may appoint a Chair for the meeting.

Electors can set the agenda by submitting questions or items for discussion.

The right of the Parish Meeting to discuss parish affairs extends to any public matter of a parochial nature and is not confined to the exercise of the statutory functions of a Parish or Town Council. The Parish Meeting may accordingly pass resolutions on the public activities or policies in the parish of any other local authority, public body, government department or public service provided that they affect the parish specifically and are not such as are calculated to affect the whole country or all parishes equally.

RELATIONSHIP BETWEEN THE PARISH MEETING AND THE TOWN COUNCIL

A Parish Meeting may discuss parish affairs but its resolutions differ considerably in their legal consequences. Only in a few cases are a Parish Meetings resolutions binding. In all others a resolution is persuasive only; the Town Council may legally disregard it.

DECISIONS

Decisions are taken in the first instance by a majority of those present and voting. The Chairman has an original and a casting vote as well.

Unless a Poll is demanded before the end of the meeting, the Chairman’s declaration of the result is final.

VOTING

Unlike the Town Council, a Parish Meeting is not required to vote in any particular way, and so the Chairman may ascertain the effect of the voting from any evidence which may lead to an accurate result.

When opposing opinions are evident with approximate equality a count will be taken.

Electors of the parish will be issued with a voting card to identify for and against and to segregate public that are present who are not residents and therefore unable to vote.

EXPENSES

The cost of the Parish Meeting is met by the Town Council.
POLLs

A poll may be demanded not later than the end of the meeting on any question arising at it. Such a poll must be held only if ten (10) or one-third of the electors present (whichever is the less) insist or if the person presiding at the meeting consents.

A poll can only be demanded on a question which has been the subject of a vote at a Parish Meeting.

(See Appendix ‘I’ - NALC L18-07 Legal Briefing Notes)

It is essential that the wording of any question to be answered in the poll be settled before the end of the meeting.

Wording should be such that a simple “yes” or “no” is conclusive.

A poll cannot be demanded if the subject matter has not been discussed at the Parish Meeting, or was discussed, but no vote took place.

If a poll is demanded on a matter that constitutes a parish affair a poll is permitted, however, the Chairman (Mayor) should remind local electors attending the meeting that the cost of funding a Parish Poll will be borne by the Town Council and ultimately by the local government electors as a Council tax funded by the Town Council’s Precept.

The estimated cost of a Parish Poll will be circa. £10,000 - £11,000.

The Chairman (Mayor) should also remind the meeting that the outcome of a poll is not binding and in any event is unlikely to have significant impact or influence.

Therefore, the call for a Parish Poll should be not undertaken lightly given the financial consequences to the Town Council and consequently local council tax payers.
APPENDIX ‘A’

PROTOCOL

MAYOR AND DEPUTY MAYOR

1. **General**

   (a) All invitations should be sent to the Mayor at the Council Offices.

   (b) If the Mayor cannot attend then he/she will decide whether the Deputy Mayor should be asked to deputise.

   (c) For events off the town, the Mayor and Deputy Mayor should not attend different functions on behalf of the Council. If the Mayor has accepted an invitation to a particular event on a particular day, then all other invitations off the town on that day should be declined.

   (d) For events on the town, it is envisaged that there may be occasions when the Mayor is attending one function and the Deputy Mayor could attend another. The Mayor will be consulted on all such matters and will decide whether the Deputy Mayor should attend a function on the town in such circumstances.

   (e) If an invitation to any function, on or off the town, is sent directly to the Deputy Mayor then he/she should consult the Mayor and seek his/her views.

   (f) When deputising for the Mayor, the Deputy Mayor will have the use of the civic car as if he/she were the Mayor.

   (g) In the event that the Deputy Mayor deputises at an event where an official collection is taken, the Town Clerk is authorised to make available a reasonable amount from the civic budget to the Deputy Mayor for the collection.

2. **Specific Events**

   As a general rule, the Deputy Mayor will not attend as Deputy at functions at which the Mayor is present, save for those occasions when the Deputy Mayor has a civic role to play. The proposals are set out specifically below:

   (a) **Council Meetings**

       For all meetings of Council, save for the Annual General Meeting, the Deputy Mayor may sit beside the Mayor but shall not wear the Deputy Mayor’s chain.

       In the event that the Deputy Mayor deputises for the Mayor in chairing a meeting of the Council, the Deputy Mayor shall wear the Deputy Mayor’s chain.

       At the Annual General Meeting of the Council, the Deputy Mayor shall sit next to the Mayor, and shall wear the Deputy Mayor’s chain.
(b) **Remembrance Sunday**

The Deputy Mayor will attend as an ordinary Councillor.

(c) **Civic Ball**

Depending on the venue chosen to hold the Civic Ball, the Deputy Mayor may have a role in welcoming guests to the function room when the Mayor is with the civic guests.

In such circumstances, the Deputy Mayor will attend formally as the Deputy Mayor, with chain, and will be seated with the other civic guests.

(d) **Civic Service**

The Deputy Mayor will attend as an ordinary Councillor

(e) **Ad Hoc Events**

The Deputy Mayor would not attend as the Deputy Mayor. Whether Deputy Mayor is invited as an ordinary Councillor would depend on the circumstances.

(f) **Royal Visits**

The invitations will only go to the Mayor. If the Mayor is unable to attend then the Town Clerk will check with the Lord Lieutenant’s office whether the Deputy Mayor can deputise. If the Deputy Mayor is able to deputise, then he/she will wear the Deputy Mayor’s chain.

(g) **Mayor / Mayoress At Home**

The Deputy Mayor will not attend as the Deputy Mayor.

The invitation of civic guests will be at the discretion of the Mayor.

(h) **Charity Nights**

If the Mayor wishes to hold his/her own charity night then he/she must discuss the proposal with the Leader and the Town Clerk to be clear as to the full implications of so doing.
APPENDIX ‘B’

ARMORIAL BEARINGS

“Not the least, but the greatest, we seek”

The Heraldic Shield has a background of red surrounded by a border in “or” representing the boundaries of the designated site of the new town of Newton Aycliffe. The Chevron across the shield is in “argent” and is an allusion to the bridge over St. Cuthbert’s Way, linking the town with Aycliffe Industrial Park. The sheaves of corn forming the garbs in the shield are taken from the Arms of the Eden Family, of whose estate the site of the new town formed a part, and the hand grenade on the chevron represents the Royal Ordnance Factory out of which the Industrial Park was converted.

The supporters in “argent” are the Lions Rampant in the Arms of the See of Durham, differenced with mail gauntlets in allusion to the military activities of the Bishops of Durham and holding Crosses Pattonce in allusion to the old form of the Arms of the See.

The Crest consists of an oak tree on a limestone cliff surmounting a helm. The oak tree is a reference to the forests which formerly covered this part of the country, from which was taken the Saxon name “acle” meaning “oak leaf”, from which the name of Aycliffe was derived. One of the branches of the oak tree is broken and bent down to indicate the disappearance from the area of its oak forests and with a lesser branch the letter “A”, thus forming a rebus on Aycliffe.

The grant of Arms to the Aycliffe Development Corporation was made by the College of Heralds in October, 1956, and transferred to the Town Council.
APPENDIX ‘C’

A BRIEF HISTORY OF GREAT AYCLIFFE

Great Aycliffe comprises the town of Newton Aycliffe and the villages of Aycliffe and School Aycliffe. It is part of the Sedgefield local authority area, in County Durham. The population of Great Aycliffe is currently around 26,000.

The relatively large size of the Great Aycliffe area is a recent phenomenon. The settlement has been in existence from early Saxon times, and was originally Acley, a Saxon term thought to mean ‘a clearing in the oaks’. Middridge was originally the settlement on the ridge between School Aycliffe and the village of Eldon.

The Saxon settlers were not allowed to live in peace in their clearings and ridges, however, as the south of Durham was an area of intensive Viking incursion throughout the tenth century. The legacy of these raiders is reflected in the name of School Aycliffe, which was land given to Scla, a general who served the Viking King Ragnald.

Life changed radically for the inhabitants of Acley in 1069. The Norman conquest of England, which had begun three years earlier, eventually reached the northern shires, as the well-equipped invasion force marched relentlessly northwards. The Saxon way of life was all but destroyed in the ‘Harrying of the North’. Odereic Vitalis, a monk who chronicled the event, claimed that the lives of almost 100,000 men, women and children were taken in the winter of 1069/70.

Aycliffe became part of the great See of the Bishop of Durham and the peasants lived a feudal life as serfs, working on the land as little more than slaves. The distance from the capital in London and the dominance of the church combined to reinforce the sense of alienation felt by many of the region’s families. In 1569, 28 inhabitants of Middridge and Aycliffe joined the rebellion of the North, as Catholic families sought to replace the Protestant sovereign Elizabeth I with Mary Queen of Scots. The rebellion failed and five local rebels who had joined the uprising were executed.

The rebellious North supported the Jacobite cause in 1689, 1715 and again in 1745, and there is no reason to suppose that the populace of Aycliffe were any less rebellious than their countrymen and women.

However, from the beginning of the nineteenth century, there was a new direction for the spirit of revolution. The great Stockton to Darlington railway was built by George Stephenson in 1821, ushering in the industrial age, and with it Aycliffe’s first rail line at Simpasture.

Throughout the late nineteenth and early twentieth centuries, the mining industry dominated Durham, although by 1938 the mine at Middridge was abandoned. During World War II, the Government established an Ordnance factory near to Aycliffe Village, to supply munitions to the services. The workforce, mainly women, became known as the ‘Aycliffe Angels’ or the ‘canaries’ so called because the chemicals used in shells turned their hands and skin yellow.
After the war, Aycliffe became the site of a new town, planned to provide good quality homes near to the Aycliffe Industrial Estate. Under the guidance and control of the Aycliffe Development Corporation, the town flourished and has grown to be part of the Great Aycliffe settlement, which is now one of the foremost employment centres in the north east.

SOME USEFUL FACTS

- The population of Great Aycliffe is circa 29,000, with approximately 11,000 households (2003 ONS)

- Great Aycliffe encompasses Aycliffe Village, School Aycliffe and Newton Aycliffe

- The industrial estate was converted from the former Royal Ordnance Factory. The ROF site was chosen as the fog from the marshy land made ideal cover from searching Luftwaffe. It is now the largest industrial site in County Durham

- Aycliffe was the first New Town in the north of England, designated in 1947, later to be renamed Newton Aycliffe

- Workers at the ROF were commonly known as Aycliffe Angels

- The Mayor’s robes were presented to the Town Council by HMS Eskimo, officers and men, to mark the occasion of HMS Eskimo receiving Freedom of the Town in 1979
APPENDIX ‘D’

EFFECTIVE SPEECHMAKING

Getting your point across

As Mayor you are often called upon to make speeches when attending engagements – mostly welcoming or congratulatory in nature. There may be occasions when, despite having received previous assurances that there will be no talks, you may be called upon to give an impromptu speech. As such, you should always be prepared to say a few words at an engagement – reinforcing the need to do your research on the people you are visiting beforehand and to read thoroughly any briefing papers you have been given prior to the event. This will help you to say something relevant and to the point.

For some individuals, public speaking holds no fears, while for others, it is considered a difficult and onerous task – in practice it becomes easier the more you become accustomed to the role.

As with all of the other aspects of your communications, effective speechmaking can help you to get your message across.

<table>
<thead>
<tr>
<th>Effective Speechmaking – Hints and Tips</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjust your style to suit the audience – from formal to informal.</td>
</tr>
<tr>
<td>Don’t rush – very easy to do when you are nervous.</td>
</tr>
<tr>
<td>Break the ice with a simple, topical joke about being Mayor.</td>
</tr>
<tr>
<td>Speak loudly and clearly – but don’t shout.</td>
</tr>
<tr>
<td>Look at your audience – not the floor.</td>
</tr>
<tr>
<td>Smile – but don’t be over familiar.</td>
</tr>
<tr>
<td>Practice beforehand and check your timing.</td>
</tr>
<tr>
<td>Be prepared for an impromptu speech – retain cards of key notes in your pocket that can be held discreetly during your speech.</td>
</tr>
</tbody>
</table>
### Being First Citizen: further hints and tips from former Mayors

<table>
<thead>
<tr>
<th>Advice</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Set out what you want to achieve in the tenure of the post and review that as time goes on…”</td>
</tr>
<tr>
<td>“Remember that when you are wearing chains, someone is always watching you…”</td>
</tr>
<tr>
<td>“Try and remember that you are the public face of the Town, and even if your feet are killing you try not to show it…”</td>
</tr>
<tr>
<td>“Never be a judge in competitions, particularly children’s competitions – you will please a few but upset many…”</td>
</tr>
</tbody>
</table>
APPENDIX ‘E’

USEFUL CONTACT NUMBERS

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Tel No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sharna Stretch</td>
<td>Mayor’s Secretary</td>
<td>01325 300700</td>
</tr>
<tr>
<td>Mr M Wilson</td>
<td>Chauffeur</td>
<td>01388 609779</td>
</tr>
<tr>
<td></td>
<td></td>
<td>07966692473</td>
</tr>
<tr>
<td>Mr A Bailey</td>
<td>Town Clerk</td>
<td>0191 4179912</td>
</tr>
<tr>
<td></td>
<td></td>
<td>07970926843</td>
</tr>
</tbody>
</table>

The Standard Civic Dignitary list is as indicated below:

CIVIC DIGNITARY 2017/2018 - INVITATION LIST

Seaham Town Council
Town Hall,
Stockton Road
Seaham
Co. Durham
SR7 0HP

Mayor
Councillor Mrs. Sonia Forster
Consort
Councillor Bob Forster
Tel: 0191 581 8034

Shildon Town Council
Council Offices
Civic Hall Square
Shildon
Co. Durham
DL4 1AH

Mayor
Councillor Shirley Quinn
Consort
Councillor Peter Quinn
Tel: 01388 772563

Spennymoor Town Council
Town Hall
Spennymoor
Co. Durham
DL16 6DG

Mayor
Councillor Ian Machin
Mayoress
Mrs. Judith Machin
Tel: 01388 815276

Durham City Charter Trust
Town Hall
Durham
DH1 3NJ

Chairman- Councillor Bill Kellett
Lady – Councillor Mrs. Jean Chaplow
Tel: 03000 267202 (Same as D.C.C.) only one
Invite to send to Durham County

Durham County Council
County Hall
Durham
DH1 6UL

Chairman
Councillor Bill Kellett
Lady
Councillor Mrs Jean Chaplow
Tel: 0191 3833000

Peterlee Town Council
Shotton Hall
Peterlee
Co. Durham
SR8 2PH

Mayor
Councillor Lee Cook
Mayoress
Councillor Miss Victoria Watson
Tel: 0191 5862491
### Chilton Town Council
**Mayor:** Councillor Tonya Duprey  
**Consort:** Councillor Andrew Kelly

**Hutton House**  
**Durham Road**  
**Chilton**  
**DL17 0EX**  
**Tel:** 01388 721788

### Sedgefield Town Council
**Mayor:** Councillor David Brown  
**Mayoress:** Mrs. Elizabeth Brown

**Council Offices**  
**Advice & Information Centre**  
**Sedgefield**  
**Co. Durham**  
**DL17 3AT**  
**Tel:** 01740 621273

### Ferryhill Town Council
**Mayor:** Councillor John Lindsay  
**Consort:** Mrs. Linda Lindsay

**Town Hall**  
**Ferryhill**  
**Co. Durham**  
**DL17 8JL**  
**Tel:** 01740 652157

### Bishop Auckland Town Council
**Mayor:** Councillor Adam Zair  
**Mayoress:** Mrs. Linda Lindsay

**154a Newgate Street,**  
**Bishop Auckland,**  
**Co. Durham**  
**DL14 7EH**  
**Tel:** 01388 609852

### Darlington Borough Council
**Mayor:** Councillor Jan Taylor  
**Consort:** Councillor Chris Taylor

**Town Hall**  
**Darlington,**  
**Co Durham**  
**DL1 5QT**  
**Tel:** 01325 40596

**NOTE:**  
The Mayor may choose up to two other appropriate Councils, and these will be appended to the list once the Mayor has indicated the chosen Councils.

**Current Mayor’s choice is**

### Barnard Castle Town Council
**Mayor:** Councillor Sandra Moorhouse  
**Consort:** Mr. Ian Moorhouse

**Woodleigh**  
**Flatts Road**  
**Barnard Castle**  
**DL12 8AA**  
**Tel:** 01833 690970

### Brandon and Byshottles Parish Council
**Chairman:** Councillor David Bell  
**Lady:** Mrs. Bell

**6 Goatbeck Terrace**  
**Langley Moor**  
**Durham**  
**DH7 8JJ**  
**Tel:** 0191 378 9947
year. In other cases, subject to the aforementioned requirements, an assembly of a parish meeting shall be held on such days and at such times as may be fixed by the parish council or, if there is no parish council, by the chairman of the parish meeting.

10. An assembly of a parish meeting shall not commence earlier than 6pm and may not be held in premises which are used for the supply of alcohol unless no other room is available free or at a reasonable cost.

Attendance of the Chairman of the Parish Council

11. The chairman of a parish council, if there is one, shall be entitled to attend an assembly of a parish meeting whether or not he is a local government elector for the parish. If he is not an elector for the parish he cannot vote at the assembly unless he is presiding at it and there is an equality of votes in which case he shall have the casting vote (see paragraph 24 below).

Presiding at the assembly

12. In a parish with a separate parish council, the chairman of the parish council, if present, must preside at an assembly of a parish meeting and if he is absent the vice-chairman (if any) must, if present, preside. In a parish without a separate parish council, the chairman of the parish meeting, if present, shall preside.

13. If the chairman and the vice-chairman of the parish council or the chairman of the parish meeting, as the case may be, is absent from an assembly of the parish meeting, the parish meeting may appoint a person to take the chair, and that person shall have, for the purposes of that meeting, the powers and authority of the chairman.

Rights of the public (including the press) to attend

14. s.1(1) of 1960 Act requires an assembly of a parish meeting to be open to the public, including the press. However, the public (in this context, meaning those who are not local government electors in the parish) may, under s.1(2) of the 1960 Act, be excluded for the whole or part(s) of the assembly if the parish meeting resolves that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons stated in the resolution. A resolution to exclude the public for the whole or a part of an assembly of a parish meeting is not likely to be a common occurrence. A resolution is made by voting,
Convening an assembly

5. An assembly of a parish meeting may be convened by any of the following:
   - the chairman of the parish council;
   - any two parish councillors for the parish;
   - where there is no parish council, the chairman of the parish meeting or any person representing the parish on the district council;
   - any six local government electors in the parish.

6. Public notice of an assembly must be given at least 7 clear days beforehand (subject to paragraph 8 below). The notice must:
   - specify the time and place of the intended assembly;
   - specify the business to be transacted at the assembly; and
   - be signed by the person(s) convening the assembly.

7. Notice of an assembly is to be given by:
   - posting a notice of the assembly in some conspicuous place or places in the parish, and
   - in such other manner, if any, as appears to the person(s) convening the assembly to be desirable for giving publicity to the assembly.

8. Where an assembly is convened to discuss the specific issues set out below, public notice of it must be given at least 14 clear days beforehand. The specific issues are as follows:
   - the establishment or dissolution of a parish council, or
   - the grouping of the parish with another parish or parishes under a common parish council.

Number and time of an assembly

9. The parish meeting must assemble between 1st March and 1st June every year. In a parish without a separate parish council, the parish meeting shall, subject to any provision made by a grouping order, assemble at least on one other occasion in the
APPENDIX ‘H’

Legal Topic Note

LTN 6

September 2014

MEETINGS OF PARISH MEETINGS

Introduction

1. This note explains the statutory requirements which apply to a meeting (hereinafter referred to as an assembly) of a parish meeting of a parish with or without a separate parish council. The procedural requirements for an assembly of a parish meeting are set out in Part III of Schedule 12 to the Local Government Act 1972 ("the 1972 Act") and the Public Bodies (Admission to Meetings) Act 1960 ("the 1960 Act") which are explained in this Note. Guidance about the creation, names and styles, alteration, abolition of parish areas and the functions of a parish meeting in a parish without a parish council is given in Legal Topic Note 3 - The powers of a parish meeting in parish without a separate council.

2. A parish meeting consists of the local government electors of a parish (s.13 of the 1972 Act) and the purpose of the meeting is to discuss parish affairs (s.9 of the 1972 Act). There is no statutory definition or definitive caselaw to determine what constitutes a "parish affair". It is NALC’s view that a parish affair includes an issue, activity, or subject which specifically affects a particular parish and which the parish meeting may wish to discuss, debate and potentially influence. Our Legal Briefings provide additional guidance about convening an assembly of a parish meeting and a poll held subsequent to an assembly of a parish meeting.

3. An assembly of a parish meeting is an effective forum for the local government electors in a parish to discuss matters specific to the parish, even if there is a separate parish council. Where there is a parish council for the parish, the attendance of members of the council at an assembly of the parish meeting may demonstrate that the council is receptive to hearing the views of local residents.

4. Subject to the statutory requirements explained later in this Note, a parish meeting in a parish without a separate council is free to regulate its proceedings and business as it wishes. In a parish where there is a parish council, the parish council may make, vary or revoke standing orders to regulate the proceedings and business of the assemblies of a parish meeting.

National Association of Local Councils
Tel: 020 7637 1865 * Fax: 020 7436 7451 * e-mail: nalc@nalc.gov.uk * website: www.nalc.gov.uk
Other Legal Topic Notes (LTNs) relevant to this subject:

<table>
<thead>
<tr>
<th>LTN</th>
<th>Title</th>
<th>Relevance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Councils Powers to discharge their functions</td>
<td>Confirms that discharge of local councils' functions cannot be by an individual councillor (including the Chairman of a council.)</td>
</tr>
<tr>
<td>5</td>
<td>Parish and Community Council Meetings</td>
<td>Refers to the role of the chairman in a meetings</td>
</tr>
</tbody>
</table>
10. It is sometimes claimed that it is unethical for a retiring chairman to use his original vote to vote for himself. Any such rule is a convention, not a rule of law and should, if followed, apply to all candidates for the chair.

11. It is also claimed, with rather more force, that it is unethical for a retiring chairman to use his casting vote to secure his own re-election. Again this is a matter of convention and not a rule of law. Various solutions have been proposed to avoid this ethical dilemma but all have the following disadvantages:

- if the retiring chairman leaves the chamber he cannot preside at the meeting, cast his original or casting vote. Additionally, his opponents will be able to elect their supporter to preside giving them the benefit of the casting vote, if needed.
- Both or all candidates for election leave the chamber. This can lead to deadlock in the election of someone to preside over the election.

12. Arrangements designed to influence the use of an original or a casting vote or to prevent a councillor from exercising a vote, can be agreed by a council but cannot be legally binding.

13. Whilst a council may make standing orders to regulate its proceedings these cannot over-ride statutory provisions (paragraph 42 of schedule 12 to the 1972 Act). A standing order which is inconsistent with the policy and objects of the Act is unlawful (R v Flintshire CC ex parte Armstrong-brown - The Times Feb 01). Since the Act clearly gives chairmen the power to exercise votes as they think fit, a council is not permitted to restrict those rights.

**Welsh Community Councils**

14. References to ss.15(1), (2), (3), and (4) of the Local Government Act 1972 and to paragraph 11 of schedule 12 should be replaced by references to ss.34(1), (2), (3), and (4) of the Local Government Act 1972 and to paragraph 27 of schedule 12 respectively. The provisions of paragraphs 39(1) and 42 of schedule 12 to the 1972 Act are applicable to local councils in both countries and make no distinctions between the position of parish councils in England and community councils in Wales. The proposed amendments to the 1972 Act by the Local Government and Public Involvement in Health Act 2007, as referenced in paragraph 2 above, do not apply to community councils in Wales.
5. Where there is an equality of votes in the election of a new chairman then the presiding chairman has a casting vote, whether he has an original vote or not (s.15(3) of the 1972 Act). The Chairman must use his casting vote to break an equality of votes (section 15(3) of the 1972 Act).

6. Model standing orders 5f-j on pages 184-185 in NALC’s book “Local Councils Explained” (2013) incorporate the statutory provisions applicable to the election of the Chairman to a council.

**Effect of the Legislation**

7. If the retiring chairman is present in the council chamber, then he must take the chair.
   If he has been elected as a councillor for the new council then in the election of the new chairman:
   - he has an original vote but is not under a duty to cast it;
   - if there is an equality of votes the chairman has a casting vote which he must use to break the deadlock; and
   - there is no legal requirement that a chairman should use either his original or casting vote in any particular way. There is no legal prohibition against a chairman using either his original or his casting vote in his own favour.

8. If the retiring chairman has not been elected as a councillor for the new council then he must preside the meeting until the election of the new chairman is completed, and his successor appointed. The retiring chairman’s duties include noting the members present/absent, receiving nominations and counting votes in the election of the new chairman but:
   - he does not have an original vote; and
   - if there is an equality of votes then he has a casting vote which must use in order to break the deadlock.

9. The object of the statutory provisions is to ensure:
   - that there is always someone to preside over the council meeting; and
   - that the council can never be deadlocked since there is always a person with a casting vote which must be used.
THE CHAIRMAN OF LOCAL COUNCILS

Introduction

1. At the time of the annual election of the Chairman of a local council, NALC is often asked to advise whether a chairman who is standing for re-election to the chair may preside over the council whilst the election of the next chairman is taking place. When the re-election is contested the questions are:

   - does the chairman have a right to vote? and
   - if there is a tie, is the chairman able to give himself a casting vote?

The Legislation

2. The first business of a council at its annual meeting is to elect a chairman (sections 15(1) & (2) of the Local Government Act 1972) ('the 1972 Act'). If s.76 of the Local Government and Public Involvement in Health Act 2007 is ever brought into force (which at the date of publication of this Note seems unlikely), it will amend s.15 of the 1972 Act and require that the chairman (and any vice-chairman) of a council in England must be elected from amongst the elected (i.e. not co-opted or appointed) members of the council.

3. The Chairman of a council remains in office until his successor is elected, even though he has himself not been elected to the new council (s.15 (4) of the 1972 Act). The chairman of a council, if present, must preside at the meeting (paragraph 11 of schedule 12 to the 1972 Act). In practice, councillors may agree a process of nomination for the office of chairman before the annual meeting of the council. Such arrangements may be confirmed in a council's standing orders.

4. A chairman, like all other councillors, has an original vote (paragraph 39(1) of schedule 12 to the 1972 Act) but a chairman who has not been elected as a councillor in the new council does not have an original vote (s.15(2) of the 1972 Act).
12. A Town Mayor should be described as 'The Town Mayor of ____'. A chairman of a parish or community council should be entitled 'The Chairman of the Parish (or Community) Council of ____'. A member of a town parish or community council should, if any title is used, be entitled 'Councillor (Miss or Mrs) ____'.

Forms of Address

13. In view of the need to distinguish between borough mayors and town mayors it is thought that the proper forms of address should be 'Mr (or Madam) Town Mayor', Mr (or Madam) Chairman, or 'Town Mayor'. Members of councils should be addressed as 'Councillor (Mrs or Miss) ____' where formality is required. A deputy should be addressed as 'Mr (or Madam) Deputy Town Mayor' not as 'Mr Deputy'.

Civic Services

14. There are no generally followed forms of church service for use on civic occasions. It is normal practice for the service to be settled by arrangement between the clergyman and the local authority.

15. Further information can be found in "Civic Ceremonial: A Handbook, History and Guide for Mayors, Councillors and Officers" by Paul Millward.

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

<table>
<thead>
<tr>
<th>LTN</th>
<th>Title</th>
<th>Relevance</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>Honorary Titles and Officers of Dignity</td>
<td>Sets out the powers of councils to grant honorary freedoms.</td>
</tr>
</tbody>
</table>

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National Association of Local Councils
Tel: 020 7637 1865  •  Fax: 020 7436 7451  •  e-mail: nalc@nalc.gov.uk  •  website: www.nalc.gov.uk
Town, Parish and Community Councils – Visits

7. There is no provision in the formal order of precedence on Royal visits for the Town Mayor or Chairman of the Parish or Community Council. Where the visit has a particularly local character and is taking place in a Town, Parish or Community the Town Mayor or Chairman would normally be presented as a courtesy after the organiser of the event. In cases of difficulty, it should be possible for the Lord-Lieutenant to resolve the problem. Advice in advance can also be sought from the Private Secretary to the Member of the Royal family.

Events Not Involving Royal Family

8. The Lord-Lieutenant, if present, takes precedence as the representative of Her Majesty. The Mayor of the Borough or Chairman of the district council has precedence (next after the Lord-Lieutenant) in the borough or district over all other persons (s. 3(4) of the Act of 1972). This statutory right applies even at functions or meetings convened by a Town Mayor or Chairman of a Parish or Community Council. In his town or parish or community the Town Mayor or Chairman should have precedence after the Borough Mayor or District Chairman.

9. The question of precedence is a social, not an executive issue. Accordingly notwithstanding the rules of precedence, the person entitled to preside, or the person convening the meeting or event, whichever is appropriate, will preside. So at a Town Council dinner the Town Mayor presides even though the District Chairman is present.

10. The order of civic precedence after the local Mayor or Chairman is not pre-determined. So far as is necessary it should be arranged by the organiser of the event. Modelling the list so far as possible on that prescribed for Royal visits and differentiating between equals by reference to the date of first taking up the position currently held should normally provide a satisfactory answer. Where there are clear local customs these should be followed. For social precedence there is a clear and long list mainly based on titles or honours to be found in standard books of etiquette.

Insignia

11. Invitations to events should as a matter of courtesy indicate the style and dress and, in particular, invitations by Town Mayors or Chairmen to the heads of other local authorities should say whether civic insignia (such as a Mayoral chain) is to be worn. This is a matter for the convenor of the event. The organiser does not have to follow any direction or wish of the Mayor of the borough or Chairman of the district although normal civic courtesy would give weight to any request from him.

Titles

National Association of Local Councils
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APPENDIX ‘F’

ROYAL VISITS

Introduction

1. This Legal Topic Note explains the formalities and rules of precedence associated with a visit to a town; parish or community by a member of the Royal Family or the Lord-Lieutenant.

Legislation

2. By virtue of section 3(4) of the Local Government Act 1972 ‘The chairman of a district council shall have precedence in the district, but not so as prejudicially to affect Her Majesty’s royal prerogative’.

Royal Prerogative

3. Her Majesty the Queen has made known her wishes about precedence in connection with Royal visits by Her Majesty the Queen, and by those members of the Royal Family styled His or Her Highness and their spouses.

4. Except where a District matter is the purpose of a Royal visit to a county the order of presentation by the Lord-Lieutenant to the Royal visitor normally be:-

   a. Lord-Lieutenant’s spouse;
   b. High Sheriff and spouse;
   c. Chairman of County Council and spouse;
   d. County Chief Executive and spouse;
   e. Chairman of District Council and spouse;
   f. District Chief Executive and spouse;
   g. Member of Parliament and spouse;
   h. Chief Constable and spouse; and
   i. The Principal Organiser of the event.

5. Thereafter other necessary presentations may be deputed to the Principal Organiser.

6. Where a District matter is the purpose of the Royal visit, the Chairman of the District Council (or Mayor of the Borough) will take precedence over the Chairman of the County Council (s. 3(4) of the Act of 1972). Where there is doubt whether the visit is for a District matter organisers are expected to consult the Lord-Lieutenant.