



## Report to Overview and Scrutiny Management Committee 15 November 2018

**Report of:** Director of Legal and Governance

**Subject:** The role of the Lord Mayor

**Author of Report:** Gillian Duckworth, Director of Legal & Governance

### Summary:

Full Council has asked Scrutiny Committee to consider the profile of the role of Lord Mayor, the extent of the role (civic, elected, regional), is the Lord Mayor accessible to all and are the protocols fit for purpose.

**Type of item:** The report author should tick the appropriate box

Reviewing of existing policy	
Informing the development of new policy	
Statutory consultation	
Performance / budget monitoring report	
Cabinet request for scrutiny	
Full Council request for scrutiny	
Call-in of Cabinet decision	
Briefing paper for the Scrutiny Committee	x
Other	

### The Scrutiny Committee is being asked to:

Consider what is a 21<sup>st</sup> Century Lord Mayor for Sheffield and report its findings back to Full Council.

### Background Papers:

List any background documents (e.g. research studies, reports) used to write the report. Remember that by listing documents people could request a copy.

**Category of Report:** OPEN

# Report of the Director of Legal & Governance

## The role of the Lord Mayor

### 1 Introduction

1.1 There is clear distinction between the role of a civic mayor and a directly elected mayor and the legal basis for them. A civic mayor or chairman of a Council may carry out community and ceremonial activities and chair meetings, but they cannot make decisions about council business, whereas an elected mayor is responsible for the day-to-day running of local services.

1.2 The Lord Mayor of Sheffield (and the role that is the subject of this paper) is a civic mayor not an elected mayor. Sheffield City Region has a directly elected Mayor. Dan Jarvis was elected to that role in May 2018. It is necessary to distinguish the two roles clearly to avoid confusion.

1.3 There are functions of the Lord Mayor which are statutory and much of the role is embedded in tradition. Nevertheless, there are also some aspects of the role which could be reviewed and possibly done differently.

1.4 The report seeks to set out the history and the current practice relating to the role of the Lord Mayor in Sheffield to help the Scrutiny Committee consider the following issues and questions as part of its discussion:

- To enhance guidance available to the Lord Mayor, such as relates to protocol and precedence
- To consider how we might the enhance the extent to which the Lord Mayor is accessible to individuals and organisations in Sheffield
- Working with the media and social media to raise the profile of the Lord Mayor and their work with the community
- How the Lord Mayor might contribute to the promotion of the Council's corporate objectives
- Being a role model and playing a part in promoting democracy and participation and public involvement in Council activities which reflects the diverse communities within our city.
- Promoting the city and being an ambassador in relation to partnerships, tourism, business and international relationships
- Look at criteria for 'quality' engagements and priorities and the balance of engagements (ceremonial/traditional and community/other)
- How does the office of Lord Mayor integrate with and compliment the

Council as an organisation.

- Is the process of deciding the forthcoming Lord Mayors still fit for purpose
- Make improvements to training and induction, so there is a more systematic programme that each Deputy Lord Mayor would follow in the year, prior to their installation as Lord Mayor.
- Planning the year ahead and understanding what the incoming Lord Mayor's priorities will be

## **2 History**

2.1 Sheffield had its first Council formed following an Act of Incorporation on 31 August 1843. The Council then comprised 56 members with William Jeffcock as the first Mayor of Sheffield.

2.2 In 1893 the style and title of City was given by Royal Charter. The building of the present Town Hall was started in 1891 and opened by Queen Victoria on 21 May 1897. By Royal 'Grant of the Title' dated 12 July 1897, the title and dignity of Lord Mayor was conferred on the Chief Magistrate of the City, the Duke of Norfolk.

2.3 In the past, the office of Mayor or Lord Mayor had very considerable authority, and carried with it executive powers over the finances and affairs of the Corporation. The Mayor carried out many of the duties later attached to the office of Town Clerk, and as well as presiding over the meetings of the Corporation, the Mayor or Lord Mayor also presided over the Bench of Magistrates as Chief Magistrate of the Borough Court.

## **3 Chairman of Full Council**

3.1 The Local Government Act 1972 requires principal councils to appoint a chairman, who must be a member of the Council but not a member of the Council's executive. The Lord Mayor as First Citizen of the district is elected by the Council each year, at its Annual Meeting as the chairman. The term of office is for one year and during their term of office they continue to be a member of the Council.

3.2 The Lord Mayor as chairman has precedence in the district, but not so as prejudicially to affect Her Majesty's royal prerogative.

3.3 A principal council may pay the mayor ('the chairman') for the purpose of enabling them to meet the expenses of office such allowance as it thinks reasonable.

3.4 The main duty of the mayor as chairman is to preside over meetings of the Council.

3.5 The mayor is also the Returning Officer for UK Parliamentary Elections in a

borough constituency contained in a district. This is largely a ceremonial position with most duties being discharged by the (Acting) Returning Officer who is normally a senior officer of the local authority.

#### **4 The role of the Lord Mayor**

4.1 The role and function of the Lord Mayor is set out in Article 5 of the Council's Constitution (see Appendix 1). This sets out the Lord Mayor's role as the 'First Citizen'.

4.2 The political groups on the Council have agreed to operate a points system and protocol for determining which political group on the Council nominates the next Deputy Lord Mayor. The system, which is based on political composition of the Council, has been operating since 2002. The basis of the system is the awarding, on 1<sup>st</sup> January each year, of 84 points (the number of Members of the Council), with each political group receiving one point per Member of the group at that date. These newly allocated points are added to each group's balance carried forward from the previous year. Following the addition of these new points, the group with the highest number of points shall nominate the Deputy Lord Mayor for the next municipal year, and 84 points will be deducted from that group's total. Each group's points balance will then be carried over to the next year.

4.3 The election of the Lord Mayor and appointment of a Deputy is a function of Full Council. Once appointed, they can only be removed from office if they were disqualified as a councillor.

4.4 The Deputy Lord Mayor undertakes a range of engagements during the year to enable them to learn more about the job of being Lord Mayor and to plan their own year in office and consider their own priorities for the year.

4.5 Guidance is provided to each Lord Mayor as a point of reference. This is used as part of the induction for the Lord Mayor and Deputy Lord Mayor. A copy is appended to this report at Appendix 2. It covers various subjects, including:

- Team roles
- Appropriate Dress and Insignia
- Chairing the Council Meeting
- Badges of office
- Charity Fund
- Deputy Lord Mayor
- Major annual events and Ceremonial Occasions
- Precedence
- Honorary Offices
- Links with the Services
- History and features of the Town Hall

4.6 Each Lord Mayor and Deputy is also provided with an induction on the chairing of Full Council meetings and the various procedure rules which govern the way in which the meeting is run.

4.7 In summary, the Lord Mayor might perform functions in the following

categories, which are currently considered to be essential to the role:

- Act as First Citizen
- Lead the community and community engagement and participation
- Preside over civic functions
- Attend a range of engagements
- Promotion of place and support corporate objectives and partnerships
- Help fundraising
- Observe civic protocols
- Personal choice

4.8 It is important to successive Lord Mayors that they are given a certain amount of freedom to stamp their own identity onto the role of Lord Mayor, therefore the protocols and guidance help to steer the path and are explicit on essential requirements of the role but a degree of flexibility has always been adopted to allow the role to be personalised. For example, the Lord Mayor may choose their own charities and decide how to fundraise. They can choose how to spend the allocated budget not reserved for essential functions (although this is a very limited sum and therefore, in reality does not afford much discretion). They can choose which community events to attend.

## 5. **Financial implications**

5.1 To provide some context, the budget for the activities of the Lord Mayor in 2018/19 is £58K. Reductions to the budget available to the Lord Mayor have been made over time to reflect the changing financial circumstances of the Council. The resource and budget implications of any proposed changes would need to be considered as part of the Council's overall budget and would be part of the business planning process.

5.2 This activity budget includes transport (vehicle and Chauffeurs), hospitality provided by the Lord Mayor for receptions and functions, the annual allowances paid to the Lord Mayor and Deputy Lord Mayor and the expenses of running the Lord Mayor's office, such as cleaning and repairs to clothing and equipment, materials, printing and stationery. The activity budget does not include the cost of employees working in the Lord Mayor's team.

## 6. **Legal implications**

6.1 There is no legal requirement for the Local Authority to appoint a Lord mayor. It is an honour bestowed on the City by the Queen that originated in a time when freedoms for cities held greater importance than they currently do.

There are specific functions outlined in the Local Government Acts and Representation of the People Acts that may be carried out by a mayor or lord mayor

## 7 **Equality of Opportunity Implications**

- 7.1 The Equality Act came into force from October 2010 providing a modern, single legal framework with clear law to better tackle disadvantage and discrimination. The Act includes the public sector equality duty, which is set out in section 149.
- 7.2 The Equality Act covers those with 'relevant protected characteristics', these are age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. Everyone has at least one protected characteristic, so the act protects everyone.
- 7.3 The public sector equality duty covers councils and other public sector organisations. In summary, those subject to the “general equality duty” must have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation
  - Advance equality of opportunity between different groups
  - Foster good relations between different groups
- 7.4 As first Citizen, the Lord Mayor is a potential role model and has an important role to play in promoting diversity in the City. The Lord Mayor is also expected to “promote public involvement in the Council’s activities” and to attend civic and ceremonial functions as deemed appropriate.
- 7.5 The role can therefore potentially contribute to the councils statutory duties in terms of equalities, in particular the need to “foster good relations” between different groups.
- 7.6 The committee is asked to consider how we might promote awareness and fair access to the Lord Mayor for individuals and organisations. And how the role can promote public involvement in council activities which reflects the diverse communities within our city.

## **8. What does this mean for the people of Sheffield?**

- 8.1 The office of Lord Mayor is an asset for Sheffield and we want to make sure that it works for the benefit of and on behalf of the City and its citizens. This report asks the Committee to look at the role of Lord Mayor and to consider any changes which would help support them as first citizen and ambassador for the City.

## **9. Recommendation**

- 9.1 The Scrutiny Committee is asked to consider and report back to Full Council on:
- the operation of the current role and discussion points in this report
  - whether any changes should be made to the protocols, guidance or practice
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# The Council's Constitution

## Article 5 – Chairing the Council

### 5.01 Role and Function of the Lord Mayor

The Lord Mayor and Deputy Lord Mayor will be elected by the Council annually at its Annual Meeting. The Lord Mayor and in his or her absence, the Deputy Lord Mayor, will have the roles and functions set out below.

### 5.02 Ceremonial Role

The Lord Mayor will act as the City's First Citizen and will discharge ceremonial duties on behalf of the Council so as to:

- (a) uphold and promote the purposes of the Constitution, and interpret the Constitution when necessary;
- (b) promote public involvement in the Council's activities;
- (c) be the conscience of the Council and Councillors; and
- (d) attend such civic and ceremonial functions as the Council and he/she determines appropriate.

### 5.03 Chairing the Council Meeting

The Lord Mayor (or in his or her absence the Deputy Lord Mayor) will chair meetings of the Council, so as to:

- (a) uphold and promote the purposes of the Constitution, and interpret the Constitution when necessary;
- (b) ensure its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community; and
- (c) ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Councillors who are not on the Executive are able to hold the Executive to account.

