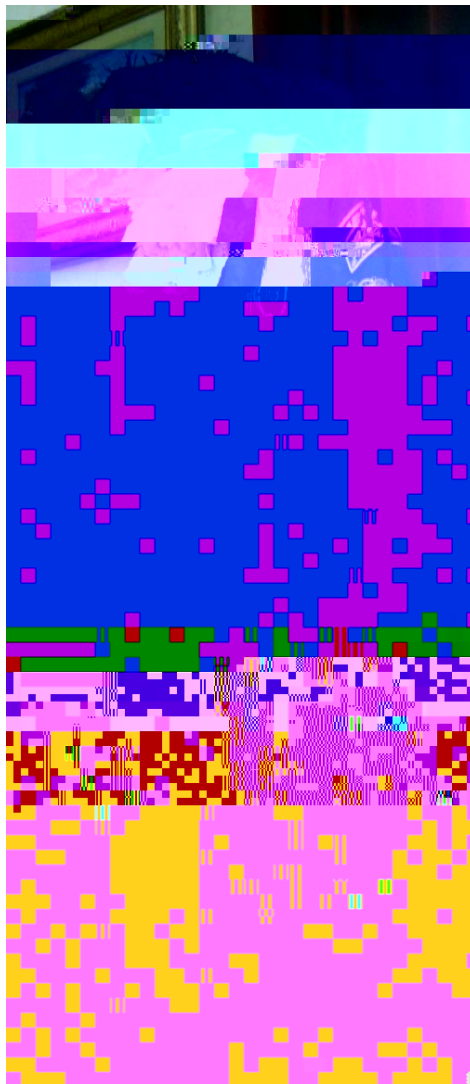


The Future of the Civic Function





Contents

Preface	3
Summary of Recommendations	4
1 Purpose of the Review	5
1.1 Review outline	5
2 Background: The Localism Act	6
2.1 Introduction	6
2.2 Case Study: Elected Mayors	6
2.3 Developments during this Review	7
3	



The Future of the Civic Function

7	Conclusions	21
7.1	Introduction	21
7.2	Moving Forward	21
	Appendix 1 – List of witnesses	23
	Appendix 2 – Governance Options Permitted in the Localism Act 2012	24
	Appendix 3 – Lord Mayors in other Local Authorities	25
	Appendix 4 – Draft Terms of Reference for the Lord Mayor’s Advisory Group	27
	Appendix 5 – Lord Mayor Protocol	28

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Reports that have been submitted to Council can be downloaded from www.birmingham.gov.uk/scrutiny.

1 Purpose of the Review

1.1 Review outline

1.1.1 The passing of the Localism Act 2011 has brought to the fore discussions around governance arrangements and constitutional change in Local Authorities. Councils now have three options to choose from; a Leader / Cabinet model; a Committee system; or a Directly Elected Mayor. A number of cities named in the Localism Act held referendums on whether to create a Directly Elected Mayor on 3rd May 2012. Birmingham was one of these cities.

1.1.2 The possible change as a result of this provision raised a number of constitutional issues for Birmingham which required attention. The future of the Civic Function and the role of the Lord Mayor was one of these.

1.1.3 Given Scrutiny's past involvement in considering the operation of the Lord Mayor's Parlour¹ it was felt that a sub-group of the former Coordinating O&S Committee would be appropriate to carry out some work examining the impact of different constitutional scenarios on the Lord Mayor, and that now was an opportune time to do so. The key question the working group sought to answer was:

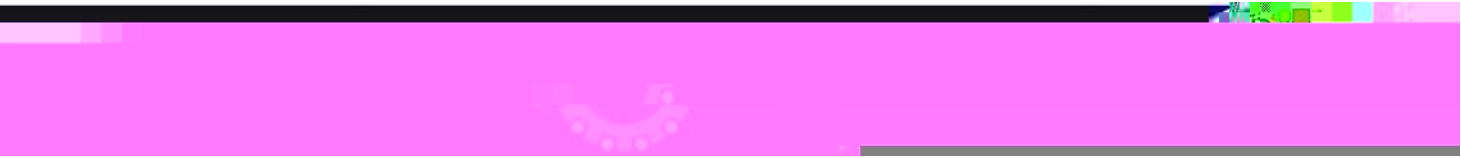
What role would best be played by the Lord Mayoralty in future, given the different possible constitutional scenarios?

1.1.4 To reflect the wider remit of this review and in contrast to the previous piece of work, this working group was made up of both former Lord Mayors (Councillor M. Sharpe and former Councillors M. Wilkes and L Gregory) and Members who have not previously been Lord Mayor (Councillors A. Underwood, D. Hughes and M. Ward).

1.1.5



2 Background: The Localism Act





3 Background: The Civic Function

3.1 Overview

3.1.1 Turning to the role of a Lord Mayor, many of a Lord Mayor's duties are ambassadorial, representing the people and an area both at home and abroad. This role is predicated on political neutrality. Responsibilities are many and varied and include, as examples:

Presiding over Civic functions and social occasions as the ceremonial head of the Council;

Hosting events, receiving and welcoming members of the Royal Family, dignitaries and visitors, at all times observing the recognised protocol;

Taking part in functions as a representative of the people or the Council;

Working proactively for the Mayoral charities and supporting many other charities;

Promoting and raising the profile of many Council initiatives and projects of a charitable and voluntary nature that benefit citizens;

Encouraging active citizenship and participation by all;

Maintaining good relationships and working with city faith organisations, attending a variety of religious occasions and making visits to groups and places of worship;

Maintaining close links with the armed forces and veterans' organisations;

Supporting voluntary activities that benefit local communities and people as a whole;

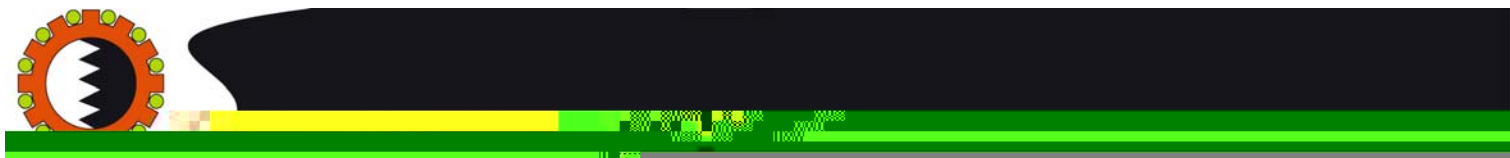
Celebrating local success and recognising achievement both internal and external to the Council;


Joining citizens in community events.

3.1.2 The book *Civic Ceremonial*, written by Paul Millward and first published half a century ago still serves as the definitive text on civic protocol in the country. Updated to take into account developments within Government, it serves as a handbook, history and best practice guide for Mayors, Councillors and officers.

3.1.3 One of the areas which this book focuses on is the rule of precedence. This includes for example how introductions and toasts should be conducted at events where the Lord Mayor is present. Generally, established protocols are in place regarding such things as precedence, procedure and speaking arrangements for a Lord Mayor in relation to other Councillors, officers and the public. The rule of precedence outlines that a Lord Mayor shall have precedence in their respective city with the sole exception that this shall not prejudicially affect Her Majesty's Royal Prerogative. This means that the Lord Mayor takes precedence over all other Councillors and officers of the Council at all events.







adequate and feel that more should be done to promote and raise awareness of the Lord Mayor's work.

3.3 Lord Mayors in other Local Authorities

3.3.1 Appendix 2 provides a brief overview of the role of Lord Mayor in a number of other Local Authorities.



4 Findings: The Benefits of the Civic Function

4.1 Introduction

- 4.1.1 In seeking to understand what role would best be played by the Lord Mayoralty in future, the next step is to understand the benefits the Lord Mayor's office brings to the city.
- 4.1.2 The initial feedback from those we spoke to was that the office of Lord Mayor is of great value to Birmingham and is a time honoured role of great distinction which has served the city well. An important element of that is the office's political neutrality. Witnesses were keen to emphasise the importance of a Lord Mayor to Birmingham and *the dominant view was that the existence of such a post ought not to be brought into question under any type of governance model.*

4.2 Heritage

- 4.2.1 The first and unique benefit of the Mayoralty in Birmingham is having a representative to personify and celebrate the heritage of the city. One witness suggested that the heritage aspect of the Civic function could be further strengthened with each incumbent Lord Mayor having a full understanding of the civic history of the city, which they could then promote and discuss with visitors. After all, the Lord Mayor's office and Parlour is a reserve of 'institutional memory' of the civic affairs of the city, which it is essential to preserve and share.

4.3 Supporting the Local Economy

- 4.3.1 Traditionally the Lord Mayor has always had a role in the maintenance and development of friendly



The Future of the Civic Function

gathering that the level of visits made by the Lord Mayor to different sections of the city would be too onerous for a Leader or an Elected Mayor to undertake alongside his/her other duties. The Lord Mayor, again, therefore provides a link to residents in the city that could otherwise not exist.

Box 2: Written evidence received from the Birmingham Faith Leaders Group – 13

5 Findings: The Role in the Future

5.1 Introduction

5.1.1 Our evidence shows that the Lord Mayor has an important role to play and can be a positive force in a number of areas. *We are clear that Birmingham's Lord Mayoralty should remain strong and influential.*

5.1.2 We therefore believe that there are three areas which need to be addressed in order to put the Lord Mayor in a stronger position, regardless of current or future constitutional scenarios Birmingham chooses to adopt:

A more clearly defined and more widely understood role for the Lord Mayor;

An effective relationship with the person leading the City Council (Leader or Elected Mayor);

Adequate resources to fulfil the role.

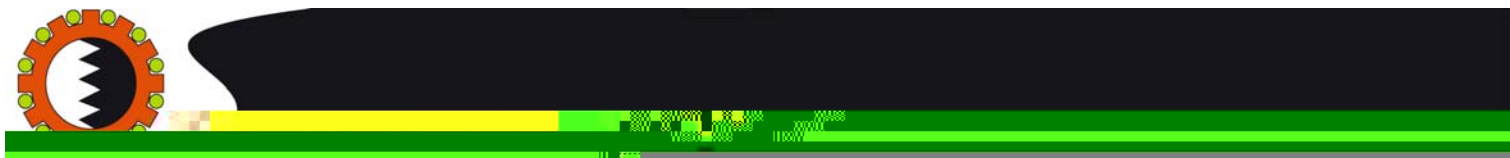
5.2 Defining and Understanding the Role of the Lord Mayor

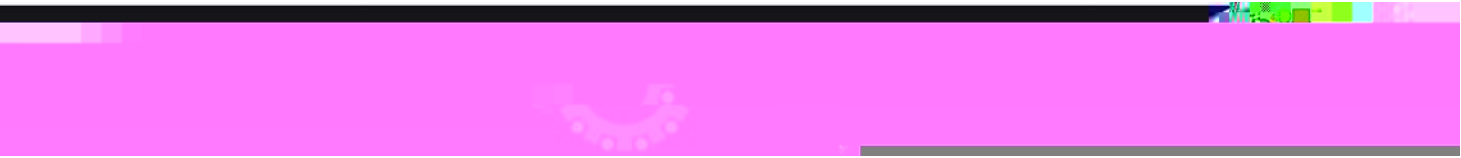
5.2.1 We believe it is important to first come to a conclusion about what the role of the Lord Mayor and the Parlour should be and what would be most appropriate for Birmingham today. A range of different roles, of which one or more could be adopted, were explored with those providing evidence:

- a. To chair City Council meetings;
- b. To raise money for charity;
- c. To promote a particular sector of Birmingham e.g. Manufacturing;
- d. To promote Birmingham as a place to visit and do business;
- e. To engage with local communities.

5.2.2 We would not wish to see the role of the Lord Mayor being simply the Chair of the City Council. Focusing solely on this role would detract from the core purpose of the Lord Mayor, the heritage of the position and the benefits the role brings to the city.

5.2.3 We would like to ensure that the charity arm of the Lord Mayor's work is not diminished as this is already a strong and very positive part of a Lord Mayor's work and is something unique to the role. Enhancing the aspect of the role of 'supporting charity organisations' would address the need for each different Lord Mayor to focus on a sector they are comfortable in representing. It would also give the Lord Mayor a clear function, resolving some of the issues around precedence and attendance at events. The same applies for a role focused on supporting local communities.







The Future of the Civic Function

of worthwhile events. With events that are still held, it was felt that often the budget available doesn't provide the level of hospitality that some of the occasions deserve.

5.4.3 In addition we discussed the following in relation to staffing resources within the Parlour:

Historically there have been a small number of employees working in the Parlour. However that level of resourcing was put in place when for example the Lord Mayor's diary was not as busy, there were no briefings and no honours and awards to organise. The advent of the ICC and the NEC has generated an increase in visitors to Birmingham and the result has been more activity within the Parlour;

In 2001, against a background of considerable financial pressures in the Council as with elsewhere, the senior officer within the Parlour took Voluntary Redundancy and has not been replaced;

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6 Findings: The Potential Impact of Different Constitutional Scenarios

6.1 Introduction

6.1.1 The previous section demonstrates some the issues to be addressed if the Lord Mayor of Birmingham is to be properly supported. There is a clear role for the Lord Mayor to work alongside any form of Executive.

6.1.2 We began this Review with the possibility of significant constitutional change in Birmingham. Of the three options, the feeling amongst Councillors and witnesses was that an Elected Mayor created the greatest potential risk to the Lord Mayor, given the greater range of powers that an Elected Mayor would be lieate5(May)-4..tefd-4.5ateQ2]of n,284 1(o)-5.4(wt1.14(eo60te)1used)-6.4(10.-i



all invitations and requests from dignitaries and businesses are now directed through the City Mayor's office, who takes the decision on how to proceed.

- 6.2.4 These risks are also relevant, although to a lesser extent, to the Leader model. We were provided examples of where this is perceived to be occurring at the moment, for example through the reduction in the Parlour's hospitality budget, the lack of presence at Citizenship Ceremonies and difficulties experienced around the Lord Mayor's attendance at city events. Examples were also provided to the working group highlighting where the Lord Mayor has not taken precedence at events and in some cases where the Lord Mayor's office has not been made aware of visits where it would have been suitable for him/her to attend.
- 6.2.5 Overall the key message from those we spoke to is that the personality of the head of the Executive is the biggest factor affecting the above, and in how fully a Lord Mayor can carry out their expected duties.
- 6.2.6 We also had some concerns about the potential for the position of Lord Mayor to be removed from the Birmingham landscape. We received the following legal advice from the Council's Legal Services team on this issue:

...the post of Lord Mayor could be removed - in other words we cannot find any evidence or law to suggest that this position is mandatory.

However this is a position within the Constitution and it would therefore require a change to the Constitution to remove this post. Such a decision would need to be made by Full Council on the recommendation of Council Business Management Committee. This is not therefore an Executive Decision to be made by Cabinet or by an elected Mayor.

6.3 Public Awareness and Understanding

- 6.3.1 A further potential effect is on the understanding of the wider community about the role of Lord Mayor. Evidence received suggested that there is currently not a clear understanding of the differences between the Leader of the Council and the Lord Mayor, what is expected in each role and in particular which office businesses and organisations should approach.
- 6.3.2 This is something we believed would only have been exacerbated by two roles with similar titles, had Birmingham adopted an Elected Mayor. Evidence from London was that confusion can exist in the public domain between two roles which contain the title "Mayor", even where one has been established for some time. This is evidenced in the type of correspondence that the Lord Mayor of the City of London sometimes receives which is intended for the Mayor of London. It was felt that only a very small percentage of residents would understand the difference of the two mayoral roles.



The Future of the Civic Function

	Recommendation	Responsibility	Completion Date
R01	That this Council reiterates its support for a strong Lord Mayor fulfilling the role of First Citizen, reflecting the value of the civic function and its role in the life of the city.	City Council	June 2012
R02	The charity arm of the Lord Mayor's work is unique and should be retained. Further investigation should be undertaken to see how this can be enhanced, without diminishing the other aspects of the role. This work should be carried out by the Lord Mayor's Advisory Group (Recommendation 05).	Council Business Management Committee	November 2012
R03	The Lord Mayor has a role to play in supporting Birmingham as a business and tourist destination. More could be done with partners such as Marketing Birmingham to exploit these opportunities. This should be explored.	Council Business Management Committee	November 2012
R04	Further work should be undertaken to educate the public on the roles and differences between the Leader and the Lord Mayor. It may be helpful if the possibility of the Lord Mayor having a free standing website be considered as part of a wider review of the Council's website.	Council Business Management Committee	November 2012

Appendix 1 – List of witnesses

The working group would like to thank the following for providing evidence towards this review:

The Lord Mayor, Councillor Anita Ward

Councillor Deirdre Alden

Councillor John Alden

Councillor Sue Anderson

Councillor Randal Brew

Councillor Chauhdry Rashid

Councillor Peter Smallbone

Party Group Office Managers

Stephen Hughes, Chief Executive

James North, City of London Corporation

Cathy Dukes, Former Aide to the Lord Mayor of Birmingham

Brian Fuller, Rotary Club of Birmingham

Neil Rami, Marketing Birmingham

Karl Holden, Senior Policy Adviser, Department for Communities and Local Government

Catherine Staite, Institute of Local Government Studies, University of Birmingham

Jonathan Gurling, Birmingham Faith Leaders Group

Leicester City Council

Bristol City Council

Sheffield City Council

Newcastle City Council

Leeds City Council

Liverpool City Council



Appendix 3 - Lord Mayors in other Local Authorities



The Future of the Civic Function

Authority	Average Engagements per year	Budget	Protocol	Charity	Future expectations
Newcastle	500	Hospitality: £42,960 in 2011/12 Overall budget: £224,240	The Lord Mayor has a diplomatic role and offers an official welcome to visitors to the City hosting Civic Receptions and other functions Involved in promoting the City , forging links with business and commerce, attending events organised by local and regional societies and professional organisations.	Supporting three different charities as part of this years appeal.	Expecting budget reductions. It is assumed that both offices will run simultaneously (if an Elected Mayor is chosen) for the 2012/13 year with a review taking place (after the election in November) on the way forward in terms of resourcing both offices.
Leeds	-	Hospitality: £57,400 in 2011/12	No specific protocol on visitors coming to the city – nature of visit will determine role of the Lord Mayor	Currently supports the Council for Voluntary Services in Leeds	Expecting budget reductions. There is an acceptance that there will still be a Lord Mayor that will undertake ceremonial/civic duties, working alongside an Elected Mayor.
Liverpool	-	-	-	Supporting four different charities as part of this years appeal.	Expecting budget reductions. The role of the Lord Mayor will remain unchanged once an Elected Mayor is appointed





Precedence at Visits and Functions

As the first citizen of Birmingham, the Lord Mayor should be the first to receive Royal visitors to the Council. The Lord Mayor should also be the first to receive emissaries and diplomatic visitors such as Ambassadors, Charges d’Affaires or Consuls.

At meetings, unless the Lord Mayor occupies the Chair, he should be seated on the immediate right of the Chairman. This also applies to seating arrangements at lunches and dinners.

At lunches and dinners, when the toast of *“The City of Birmingham”* is given (although this toast is not obligatory) it usually follows that of



The Future of the Civic Function

These are also the correct descriptions for use in printed materials. The usual mode of address is:

"Lord Mayor – Lady Mayoress". The older form: *"My Lord Mayor"* is also correct but nowadays is less frequently used.

When the Lord Mayor is represented by the Deputy Lord Mayor he is addressed as *"Deputy Lord Mayor"*. Similarly if the Lord Mayor is represented by a deputy, who will be a former Lord Mayor, it is: *"Mr / Madam Deputy"*.

The correct descriptions are: -

"The Deputy Lord Mayor, Councillor [name]." and

"The Lord Mayor's Deputy (Councillor (or Honorary Alderman)...)".

Variations and Queries

The Lord Mayor will wish to help ensure the success of your event. In this it is emphasised that precedence must be observed by all participating in the event and any variations to the programme must observe precedence. The Lord Mayor, the Lady Mayoress or Deputies should not be asked to deliver a formal speech or address, conduct a recorded or filmed interview or play a particular or changed role in any ceremony associated with the function they are attending, unless a prior request has been made to the Lord Mayor's Parlour and consent obtained.

Organisers may have other queries and the Lord Mayor's Office should always be consulted on these should there exist any remaining doubt.