

CIVIC PROTOCOL IN THE MALDON DISTRICT

1. INTRODUCTION

- 1.1 The Maldon District Council was formed in 1973 and assumed powers as successor authority in 1974 by the amalgamation of the former Maldon Rural District, Maldon Borough, and Burnham-on-Crouch Urban District Councils. Constitutionally it is the successor authority of each of the former Councils.
- 1.2 On the re-organisation of local government the parishes within the area of the former Maldon Rural District remained unchanged and a new Parish Council was formed for the area of the former Burnham-on-Crouch U.D.C. which resolved in terms of the Local Government Act 1972 to style itself a Town Council. Accordingly, the Chairman of that Council is entitled to the style of Town Mayor of Burnham-on-Crouch. In 1987, separate Parish Councils came into being for Maldon and for Heybridge and the Maldon Parish Council resolved to style itself Maldon Town Council whereupon its Chairman became entitled to the style of Town Mayor of Maldon.
- 1.3 Other than in name and in the style of its Chairman, there is no distinction between a Town Council and a Parish Council. Each are afforded equal status within the District of Maldon and may exercise the same powers.
- 1.4 The Essex County Council, the Maldon District Council, and the Town and Parish Councils within the Maldon District area, are separate and distinct corporate local government bodies. The County and District Councils are principal authorities responsible for a wide range of functions. For District purposes these include Housing, Planning, Environmental Health, Rating, Leisure and Tourism. Parish Councils may assume responsibility for a number of local services such as playing fields, allotments, footway lighting, cemeteries, burial grounds, etc. and they are consulted on planning applications.

2. **PROTOCOL**

- 2.1 Inevitably, senior and prominent Members of County, District and Parish (or Town) Councils find themselves on a regular basis involved in civic, social, and ceremonial events and clear agreed and settled rules of protocol will do much to minimise unnecessary misunderstanding which may arise from time to time.
- 2.2 So far as civic protocol is concerned, the Local Government Act 1972 provides at Section 3(4) that the Chairman of a District Council shall have precedence after the Sovereign over all others within his District, but not so as prejudicially to affect the Royal prerogative. For matters of civic ceremonial in the County of Essex, therefore, this places the Chairmen and Mayors of the twelve District and Borough Councils within the County on the same level in terms of having precedence over all others including the Chairman of the Essex County Council, within their Districts.
- 2.3 It is expressly laid down by statute (31 Henry VIII c10) that the determination of precedence is a matter for the Royal prerogative and the provision in the Local Government Act 1972 may be varied by the exercise of the Royal prerogative, or any specific wish made on behalf of a Royal person involved with a particular service or ceremony within a District.
- 2.4 Before the creation in Tudor times of the office of Lord Lieutenant the High Sheriff was the Sovereign's sole representative in a County and took precedence over all others. A Royal warrant of 1904 finally settled a long running dispute over precedence between the High Sheriffs and Lords Lieutenant in favour of the latter.

3. **PRECEDENCE**

3.1 **Royal Visits**

- (a) In respect of Royal Visits to the Maldon District there will be liaison as to procedure and protocol, etc. between the Head of Paid Service of the Maldon District Council and the Lieutenancy of Essex but subject to the Royal wish the following notes are offered for guidance.

(b) Where a Royal visit is made to the Maldon District in connection with a purely District matter, the Chairman of the Maldon District Council shall take precedence and the order of presentation by the Lord Lieutenant to the Royal visitors will normally be:

- Lord Lieutenant's spouse,
- High Sheriff and spouse,
- Chairman of the District Council and spouse.
- District Head of Paid Service and spouse,
- Chairman of the County Council and spouse,
- County Chief Executive and spouse,
- Member of Parliament and spouse,
- Chief Constable and spouse.

After these presentations the Lord Lieutenant will present the principal organiser of the event to which the visit is being made and other necessary presentations may be deputed to the organiser.

(c) Her Majesty has made it clear that in exercise of the Royal prerogative, and notwithstanding section 3(4) of the Local Government Act 1972, on other official Royal visits, the order of precedence should place the Chairman of the County Council before the Chairman of the District Council. On such an occasion the order of presentation by the Lord Lieutenant to the Royal visitor will normally be:

- Lord Lieutenant's spouse,
- High Sheriff and spouse,
- Chairman of the County Council and spouse.
- County Chief Executive and spouse,
- Chairman of the District Council and spouse,
- District Head of Paid Service and spouse,
- Member of Parliament and spouse,
- Chief Constable and spouse.
- etc.

Her Majesty the Queen has ruled that these arrangements should apply also to official visits made by those members of the Royal Family styled His or Her Royal Highness, and their spouses.

3.2 **Events within the Maldon District hosted by the Maldon District Council**

At such events provided that there is no Royal personage present, the Chairman of the Maldon District Council shall take precedence over all other persons present.

3.3 **Other Events within the Maldon District**

If the Chairman of the Maldon District Council is present in an official capacity at functions not organised or hosted by the Maldon District Council, then provided that no Royal personage is present, the Chairman of the Maldon District Council is entitled to be afforded precedence over all other persons present. Most Chairmen of the Maldon District Council, however, have indicated that consonant with the spirit of Her Majesty's wishes with regard to the Royal visits, they will be pleased to afford precedence in respect of events not organised by the Maldon District Council to the Chairman of the Essex County Council if he is present. The order of precedence will, therefore, be the Chairman of the County Council followed by the Chairman of the District Council. For the avoidance of doubt organisers of such events should liaise with the Head of Paid Service of the Maldon District Council regarding matters of precedence.

3.4 **Events where the above Rules of Precedence will be Waived**

(a) Mayor Making

This is a meeting of the Town Council of the Town of Maldon or the Town Council of the Town of Burnham-on-Crouch and as such the respective Town Mayor shall take precedence.

(b) Crowning of Maldon Carnival Queen

The Town Mayor of Maldon is ex officio President of the Carnival Association and in that capacity will preside at the Crowning of the Carnival Queen.

3.5 **Church Services and Processions**

(a) Town Mayor's Sunday Service in Maldon

On the occasion of the Town Mayor of Maldon's Sunday Service the civic dignitaries and principal guests will process from the Moot Hall to All Saints Church in the following order:

- Clergy
- Chairman of the Maldon District Council
- Lord Lieutenant of Essex
- High Sheriff of Essex
- Mace
- Town Mayor/Mayoress
- Justices of the Peace
- Member of Parliament for South Colchester and Maldon
- County Councillor for Maldon
- Maldon District Council Head of Paid Service
- Deputy Town Mayor
- Town Councillors
- Other guests

At the conclusion of the Service, the procession from the Church back to the Moot Hall will be led by the Clergy followed by the Chairman of the District Council, the Lord Lieutenant, the High Sheriff, the Mace, and thereafter the remaining guests in the order narrated above.

(b) Other Services

The number of civic dignitaries attending such a Service will be dependent on the nature of the Service but if the Chairman of the District Council is present he shall be afforded precedence in accordance with paragraph 3.3 above. In relation to Services organised for or on behalf of the Maldon District Council the following order of precedence shall apply:

- Chairman of the Maldon District Council
- Head of Paid Service
- Vice Chairman of the Maldon District Council
- Leader of the Council
- Deputy Leader of the Council
- Opposition Leader(s)
- Other Members
- Chief Officers

Such order of precedence will be recognised in any seating arrangements within the Church. In respect of processions on entering the Church the above order of precedence will be recognised with the first in precedence entering the Church last, i.e. the Chairman of the Maldon District Council will be the last person to enter the Church. On leaving the Church the Chairman will lead the procession, other dignitaries following in the order narrated above.

3.6 **Recognition of the Chairman of the Maldon District Council**

The Chairman of the District Council where attending a function anywhere within the District of Maldon shall be accorded due precedence in accordance with the rules detailed above but, if not presiding, the place to be reserved for his use should be on the immediate right of the person presiding. The Chairman's escort should be seated on the immediate right of the Chairman or on the left of the person presiding. The Chairman's presence and the order of his precedence should be recognised in any formal address.

3.7 **Recognition of the Chairman of a Parish Council (or Town Mayor)**

Depending on the function concerned it may also be appropriate to recognise the Chairman of the Parish Council (or Town Mayor) in whose parish the function is held. Subject to the consideration of any of the dignitaries referred to in paragraph 3.1, the Chairman of the Parish Council (or Town Mayor) ranks second in order of precedence within his own Parish after the Chairman of the District Council. The Chairman of a Parish Council (or Town Mayor) has no status or powers outside the area of his own Parish.

3.8 **Functions Outside the District of Maldon**

The Chairman of the Maldon District Council has no formal status or powers outside the area of the District Council and will only normally attend functions outside the area in his official capacity where he has been invited as a guest of, or together with, the Chairman or Mayor of the District or Borough Council in question, or the County Council.

3.9 **Functions within a particular Parish of the District of Maldon**

Similar considerations apply in a parish sense to the Town Mayor of Maldon and the Town Mayor of Burnham-on-Crouch, who have no formal status or powers outside the area of the Town Council. For these reasons it is inappropriate for the Town Mayor of Maldon or the Town Mayor of Burnham-on-Crouch to be invited to officiate at functions outside the area of their respective Town Councils and they should normally not attend such functions in an official capacity unless invited by Chairman of the Parish Council concerned, or the District Council.

Where attending functions outside the Town of Maldon or the Town of Burnham-on-Crouch, within the District of Maldon either at the invitation of, or together with, the Chairman of the Maldon District Council, a Town Mayor will normally wear the badge of office, not a chain.

The same arrangements apply to the Chairman of a Parish Council.

3.10 **Clarification of Rules of Protocol**

Invitations may arise from organisations both within and without the District of Maldon who are not aware of the normal rules for civic protocol and it is important that event organisers do not issue formal invitations to any civic representatives without first contacting the Maldon District Council. The Head of Paid Service in liaison with the Clerk to the Lieutenancy if necessary, will determine whether a civic presence is necessary or appropriate and will advise the organisers accordingly.

Invitations sent to the Town of Maldon in respect of the District Council area, or matters relating to its duties or functions, will be referred by the Town Clerk to the Head of Paid Service of the District Council and in such situations invitations will not be accepted prior to agreement being reached.

4. **CHAINS AND BADGES**

- 4.1 The Chairman of the Maldon District Council wears the Chain of Office:
- (a) At all meetings of the Maldon District Council,
 - (b) At other meetings over which he may be asked to preside as the Chairman of the Maldon District Council,
 - (c) When hosting social occasions within the District,
 - (d) When attending formal civic functions within the District,
 - (e) When representing the Council at any formal occasion within the District,
 - (f) At any other occasions when it is appropriate that he should so do in the interests of the status and dignity of the office of Chairman of the Maldon District Council.
- 4.2 The Badge of Office is normally worn when attending less formal social occasions within the District, or when invited as guest of other civic leaders outside the District, unless otherwise requested.
- 4.3 The Vice-Chairman of the Council will, when deputising for the Chairman, wear the Vice-Chairman's Badge of Office and for the purpose of civic protocol will generally be accorded the same status as the Chairman.
- 4.4 The practice and courtesy whereby the Town Mayor of Maldon, the Town Mayor of Burnham-on-Crouch and Chairmen of Parish Councils having a chain of office, approach the Head of Paid Service of the Maldon District Council regarding the wearing of chains of office or badges for occasions within the District, not organised or hosted by the Town or Parish Council in question, will continue.
- 4.5 The wearing of chains or badges of office at functions organised by the Essex County Council in the District of Maldon at which the Chairman of the County Council is acting as host will, subject to paragraph 4.1 above, be a matter for the Chairman of the Essex County Council.
- 4.6 The wearing of chains or badges of office at functions organised by a Parish or Town Council and hosted by the respective Chairman or Town Mayor will, subject to paragraphs 4.1 and 4.4 above, be a matter for the Chairman (or Town Mayor) to determine.

- 4.7 Past Chairman's badges will be worn at the Statutory Annual Meetings of the Maldon District Council, at events organised or hosted by the Maldon District Council at the discretion of the Chairman, and on other occasions at the request of the Chairman.

5. **FORMS OF ADDRESS**

- 5.1 The Chairman of the Maldon District Council shall be addressed verbally as "Mr. Chairman" or, at a function at which another person is presiding, as "Mr. Chairman of the Maldon District Council". In the case of a lady Chairman "Mr. Chairman" is still correct although "Madam Chairman" is more commonly used. Where a formal announcement is to be made the Chairman should be introduced as "The Chairman of the Maldon District Council, Councillor ..." and where accompanied "The Chairman of the Maldon District Council, Councillor and".

- 5.2 It is customary for the Chairman's spouse or partner to be referred to as the Chairman's escort.

- 5.3 The Town Mayor of Maldon or of Burnham-on-Crouch would be addressed verbally as "Mr. Mayor" or "Your Worship". Collectively Mayors should be addressed as "Your Worships". A Chairman of a Parish Council should be addressed as "Mr. Chairman of the Parish Council" and collectively as "Chairmen of Parish Councils".

6. **FLYING THE FLAG**

- 6.1 Days for flying the Union Flag at the Council Offices (from 8 a.m. to Sunset) are:

January 20	Birthday of HRH The Countess of Wessex
February 6 (1952)	Her Majesty's Accession
February 19 (1960)	Birthday of H.R.H. The Duke of York
March 10 (1964)	Birthday of H.R.H. The Earl of Wessex
March	Commonwealth Day
April 21 (1926)	Birthday of Her Majesty the Queen
April 23	St. George's Day
June 2 (1953)	Coronation Day
June 10 (1921)	Birthday of H.R.H. The Duke of Edinburgh

June	Her Majesty The Queen's Official Birthday
August 15 (1950)	Birthday of H.R.H. The Princess Royal
November	Remembrance Sunday
November 14 (1948)	Birthday of H.R.H. The Prince of Wales
November 20 (1947)	Her Majesty's Wedding Day

6.2 On the occasion of mourning for a Member or past Member of the Maldon District Council, as determined by the Chairman, the District flag will be flown at half-mast from the day of death until sunset on the day of the funeral. The Chairman may also declare the Council to be in mourning on other occasions.

6.3 The Union flag will be flown at half-mast on the following occasions:

- (a) From the announcement of the death up to the funeral of the Sovereign except on proclamation day when flags are hoisted right up from 11 a.m. to sunset.
- (b) The funerals of members of the Royal Family, subject to special commands from Her Majesty in each case.
- (c) The funerals of Prime Ministers and ex-Prime Ministers of the United Kingdom.
- (d) Other occasions by special command of Her Majesty.

Organisers of events to which are invited any of the dignitaries referred to in this document are requested, in the interests of adherence to proper rules of protocol, to liaise with the Head of Paid Service of Maldon District Council, Council Offices, Princes Road, Maldon CM9 5DL. Telephone Maldon (01621) 854477.