

GARFF PARISH COMMISSIONERS

STANDING ORDERS

Date – 4th May 2016

STANDING ORDERS

The use of a particular gender in these Standing Orders shall be deemed to include both the masculine and feminine genders.

We, the Board of Commissioners of the Parish District of Garff in the Isle of Man hereby make the following Regulations as Standing Orders of our Proceedings and Business, and the Making of Contracts.

Part 1- Proceedings and Business

1) ANNUAL MEETING

The Annual Meeting of the Authority shall be held at the office of the Commissioners on the first Wednesday of May *[at a specified time and date]* or *[at time to be determined by the Clerk and following consultation with elected representatives]*.

2) ORDINARY MEETINGS

The Ordinary Meetings of the Authority shall be held at the Office of the Commissioners at a time date and frequency determined by Resolution at the first Annual meeting of the Authority or at such other date and time as the Authority may by Resolution decide.

- 2.1 The committee proposes a strict time limit on meetings to be imposed. The recommendation would be at monthly meeting the duration shall be no longer than three hours with all business thereafter deferred to the next meeting.
- 2.2 The mid-monthly full board meeting the recommendation would be the duration shall be no longer than two hours with all business thereafter deferred to the next meeting.
- 2.3 At the mid-monthly meetings, when presentations are made, it shall be the discretion of the Chairman to rule on reaching the two hours duration that the meeting shall continue for a further sixty minutes before seeking suspension of Standing Orders.
- 2.4 Members should attend at least 75% of ordinary meetings. Any non-attendance must be advised to the Chairman or clerk 24 hours prior to the meeting.
- 2.5 All members, when signing the minute book shall include the time of their arrival and departure (if different to the stated commencement and finishing times) to maintain a true record.
- 2.6 Members who are continually late for meetings without notice should be warned and ultimately receive a written warning from the Chairman.

3) EXTRAORDINARY MEETINGS

- 3.1 An Extraordinary Meeting of the Authority may be called at any time by Resolution of the previous meeting, or may be convened by the Authority Chairman or by Requisition to the Clerk signed by any three members.
- 3.2 Any such Requisition shall state the business to be transacted at such Extraordinary Meeting which shall be specified in the Notice of Extraordinary Meeting sent to the members.
- 3.3 Except with the consent of the Chairman of the meeting, no business shall be transacted at an Extraordinary Meeting other than that for which it has been convened.

4) ELECTION OF AUTHORITY CHAIRMAN AND VICE-CHAIRMAN

- 4.1 At the Annual meeting, before proceeding to any other business, the Commissioners will elect a chairman and vice chairman for the year.
- 4.2 In the event of the Office of Chairman or Vice-Chairman becoming vacant through any cause during the year of office, such vacancy or vacancies shall be filled at the next Ordinary Meeting of the Authority and shall be the first item of business at such meeting.

5) QUORUM

- 5.1** No business shall be transacted at any meeting of the Authority unless at least five members are present to include either the Chairman or the Vice-Chairman.
- 5.2** If less than five members be present at a meeting after the expiry of fifteen minutes from the time fixed for the commencement of the meeting, the Clerk shall enter the fact in the Minute Book, and the meeting shall be declared invalid. This time limit may be extended up to 30 minutes if the Clerk has been informed of a late arrival.

6) NOTICE OF MEETINGS

- 6.1** The date and time of a meeting shall be determined at the end of the preceding meeting and recorded in the minutes.
- 6.2** The Clerk shall give a minimum of five days written notice to each member of the date of the next meeting, except that, with the written consent of the Chairman, two days verbal notice of an Extraordinary Meeting shall be deemed sufficient.

7) AGENDA FOR MEETINGS

- 7.1** The Clerk shall prepare an Agenda for each meeting and such Agenda shall be mailed to each member with Notice of Meeting. In the case of Extraordinary Meetings called at short notice, it shall be sufficient for the Clerk to communicate the Agenda verbally at the time of giving notice of the meeting.
- 7.2** Any Member may require the Clerk to place an item on an Agenda by giving notice of such item not less than seven days prior to an Annual or Ordinary Meeting and not less than three days prior to an Extraordinary Meeting.

8) MINUTES OF MEETINGS

- 8.1** The Clerk shall keep an accurate record of business transacted at each meeting and of the names of members present and of the Chairman of the Meeting.
- 8.2** Minutes of each meeting shall be circulated to each member and to such other parties as the meeting Chairman may decide.
- 8.3** Minutes of each meeting shall be confirmed and signed by the meeting Chairman at the next meeting thereafter except that it shall not be necessary for Minutes of Ordinary or Annual Meetings to be confirmed and signed at Extraordinary Meetings.
- 8.4** No discussion shall take place upon the minutes, except as to their accuracy.

9) ORDER OF BUSINESS

9.1 Ordinary Meetings

9.1.1 Except as provided by paras. 9.1.2 & 9.1.3 the order of business at Ordinary Meetings shall be as follows:-

- a) To choose the person to preside if the Chairman and Vice-Chairman be absent.
- b) To deal with planning matters.
- c) To deal with any business required by statute to be done before any other business.
- d) To approve as correct and sign the minutes of the last Annual and/or Ordinary and/or Extraordinary Meeting of the Authority.
- e) To deal with matters arising out of such minutes.
- f) To deal with matters required by statute to be done.
- g) To receive and consider communications.
- h) To receive and consider matters brought forward by the Chairman. (Chairman's Report)
- i) To answer questions asked under Standing Order No. 19.
- j) To receive and consider matters brought forward by members under Standing Order No 7.2.
- k) To receive and consider reports, minutes and recommendations of committees;
- l) To receive and consider reports and other matters (including Document Sealing) brought forward by the Clerk or Commissioners.
- m) To receive and consider motions in the order in which they have been received.

- n) To receive and consider any other business.
- o) To approve as correct and sign the Private minutes of the last Annual and/or Ordinary and/or Extraordinary Meeting of the Authority.
- p) To deal with matters arising out of such Private minutes.
- q) To receive and consider the Financial Statement of Affairs in the Private section of the meeting and where appropriate approve expenditure.
- r) To receive and consider in Private reports and other matters (including Document Sealing) brought forward by the Clerk or Commissioners.
- s) To receive and consider any Private communications.
- t) To receive and consider in Private any other business.
- u) To determine the date and time of the next meeting.

9.1.2 Business falling under items a), b) or c) shall not be displaced, but subject thereto the foregoing order of business may be varied:-

- a) by the Chairman at his discretion, or
- b) by a motion moved, seconded and passed, which shall be put without discussion.

9.1.3 Any business which the meeting decides shall be taken in private, shall be postponed until the conclusion of other business.

9.2 Annual Meetings

The business of an Annual Meeting shall be conducted in the following order:-

- a) The appointment of the Authority Chairman.
 - b) The appointment of the Authority Vice-Chairman.
 - c) The appointment of representatives to external organisations and committees.
- Thereafter as for Ordinary Meetings.

9.3 Extraordinary Meetings

The business of an Extraordinary Meeting shall be conducted as follows:-

- a) To choose the person to preside if the Chairman be absent.

Thereafter the business of an Extraordinary Meeting shall be conducted as determined by the meeting Chairman.

9.4 Reports by the Clerk / Deputy Clerk

9.4.1 The Report to the Board from the Clerk should cover the following areas as necessary and in public / private as appropriate: Progress report on Capital Projects, minor projects, Amenity Maintenance issues, Events, Matters relating to central government legislation/guidance, Staffing issues and overtime, Training or equipment requirements, Budget control.

10) NOTICES OF MOTION

10.1 Notice of every motion, other than a motion which under Standing Order No. 14 may be moved without notice, shall be given in writing signed by a member of the Authority, and delivered to the Clerk at least seven days prior to the meeting at which it is intended to be moved.

10.1.1 A Notice of Motion will be accepted at either a Statutory or Mid-monthly meeting. Under Notice of a Motion, in which the Motion failed to carry a majority vote to accept the Motion, the Motion shall not be resubmitted for a period of six months.

10.2 The Clerk shall date such notice, number it in the order in which it is received and enter it in a book which shall be open to the inspection of every member of the Authority.

10.3 The Clerk shall set out in the summons for every meeting of the Authority all motions of which notice has been given in the order in which they have been received, unless the member giving such notice has intimated in writing that he proposes to move it at some later meeting or has since withdrawn it.

10.4 If a motion set out in the summons to a meeting be not moved it shall, unless postponed by consent of the meeting, be treated as withdrawn and shall not be moved without fresh notice.

- 10.5** If the subject matter of any motion of which notice has been given comes within the province of any committee, it shall, upon being moved and seconded, stand referred, without discussion, to such committee for consideration and report.
- 10.6** Every motion shall be relevant to some matter in relation to which the Authority have powers or duties or which affects the District.
- 10.7** If the subject matter of any motion of which notice has been duly given comes within the province of any committee or committees it shall, upon being moved and seconded, stand referred without discussion to such committee or committees as the authority may determine, for consideration and report.
- 10.8** Notwithstanding paragraphs 10.4, 10.5 & 10.6 the Chairman may, if he considers it conducive to the despatch of business, allow a motion to be dealt with at the meeting at which it is brought forward.

11) ABSENCE OF A GIVER OF NOTICE OF MOTION

The business of any Notice of Motion shall not be proceeded with in the absence of the member in whose name it stands, unless he has given authority in writing of his consent that it may be taken up by some other member, or unless it be business which in the opinion of the meeting Chairman cannot be held over.

12) RESCINDING RESOLUTIONS

12.1 No motion to rescind any Resolution passed within the preceding 6 months, and no motion or amendment to the same effect as one which has been rejected within the preceding 6 months, shall be proposed unless the notice thereof given in pursuance of standing order 6 bears the names of at least [number] members of the authority. When any such motion or amendment has been disposed of by the authority, it shall not be open to any member to propose a similar motion within a further period of 6 month.

12.2 Provided that this standing order shall not extend to any resolution which to alter, or rescind is in the opinion of the Authority a matter of urgency, nor to any motion moved in pursuance of a recommendation of a committee appointed by the Authority.

13) UN-SECONDED OR WITHDRAWN MOTIONS

A motion which is not seconded, or a motion which has been seconded but subsequently withdrawn, shall be entered in the minutes as such, but shall not be considered as having been disposed of by the Authority.

14) MOTIONS WITHOUT NOTICE

The following motions may be moved without Notice:-

- 14.1** That the meeting appoint a Chairman.
- 14.2** Motions relating to the accuracy of minutes.
- 14.3** Motions relating to a report, document, correspondence or communication received by the meeting.
- 14.4** Remission to a committee;
- 14.5** Appointment of a committee or members thereof, occasioned by an item mentioned in the summons to the meeting;
- 14.6** Adoption of reports and recommendations of committee or officers and any consequent resolutions;
- 14.8** That the duties of the Clerk be amended.
- 14.9** That the debate be adjourned.
- 14.7** That a Standing Order during a debate upon a specific matter be suspended.
- 14.8** That specified business is transacted in private.
- 14.9** That a member named under Standing Orders 24.2 or 24.3 be not further heard or do leave the meeting.
- 14.10** That minutes, reports or recommendations are adopted.
- 14.11** That a motion be amended or withdrawn.

- 14.12 That the meeting do adjourn.
- 14.13 That a member be invited to remain under Standing Order No 29.1 (pecuniary interest).
- 14.14 That the meeting proceed to the next business.
- 14.15 That the question be now put.
- 14.16 That the order of business be varied.
- 14.17 That the Clerk does leave the meeting.
- 14.18 That the Chairman does vacate the Chair.
- 14.19 That a document be sealed.
- 14.20 That the consent of the Authority be given where such consent is required under these Standing Orders.

15) REPLACEMENT OF CHAIRMAN

In the event that a motion under Standing Order 14.18 is carried (Chairman does vacate Chair), the Vice-Chairman shall immediately take the Chair and the meeting shall continue. In the absence of the Vice-Chairman, the members present shall appoint a Chairman for the time being, as long as the meeting still has a quorum, without the Chairman and Vice-Chairman.

16) MOTIONS TO BE PUT WITHOUT DEBATE

Motions moved under Rules 14.15 to 14.20 inclusive shall be proposed, seconded and voted upon without debate.

17) VOTING

- 17.1 Every question shall be decided by a majority of votes and voting, shall be by show of hands or ballot.
- 17.2 Any member wishing to abstain, should notify the Committee before voting occurs.
- 17.3 In the case of an equal division of votes, the Chairman shall have a second or casting vote and when a question is decided by the casting vote of the Chairman, the fact shall be recorded in the minutes.
- 17.4 The voting on any question shall be recorded so as to show numbers voted for or against or abstained.
- 17.5 A decision will only be considered valid if a minimum of two members vote in agreement.

18) VOTING ON APPOINTMENTS

- 18.1 Where there are two or more persons nominated for any position to be filled by the Authority and of the votes given, there is not a majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on, until a majority of votes is given in favour of one person.
In the event of a tie in respect of votes in favour of any candidates, there shall be a further vote in respect of the candidates who tied and should this second vote not produce a majority of votes in favour of one person, then the Chairman may, at his discretion, either use his casting vote or determine that the candidate to go forward shall be decided by lot.

19) MEMBERS QUESTIONS

- 19.1 Any member may, during the progress of a debate, address any question, through the Chairman, to the Clerk or any other person in attendance in relation to any matter in connection with the item under consideration.
- 19.3 A member of the authority may —
 - 19.3.1 if three clear days' notice in writing has been given to the clerk, ask the chairman or the chairman of any committee any question on any matter in relation to which the authority has powers or duties or which affects the district;
 - 19.3.2 with the permission of the chairman put to him or the chairman of any committee any questions relating to urgent business, or which such notice has not been given; but a copy of any such question shall, if possible, be delivered to the clerk not later than 9 a.m. on the day of the meeting.

- 19.4 Every question shall be put and answered without discussion and the person to whom the question is put may, with the consent of the Chairman, decline to answer.
- 19.5 A member of the authority may ask the chairman of a committee any question upon an item of the report of a committee when that item is under consideration by the authority.

20) RULES OF DEBATE FOR AUTHORITY MEETINGS

- 20.1 A motion or amendment shall not be discussed until proposed and seconded.
- 20.2 A member when speaking shall address the Chairman.
- 20.3 If two or more members wish to speak, the Chairman shall call upon one to speak and the other(s) shall wait being called upon.
- 20.4 A member shall speak only to the matter under discussion or to a personal explanation to a point of order.
- 20.5 When an amendment has been moved and seconded, no second amendment shall be considered until the first has been disposed of, except that the Chairman may permit two or more amendments to be discussed (but not voted on) if he considers this would facilitate the Authority's business.
- 20.6 An amendment shall be relevant to the motion and shall not have the effect of negating it.
- 20.7 A motion or amendment once moved and seconded shall not be altered or withdrawn without the consent of the mover and seconder.
- 20.8 If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the subject upon which any further amendment may be moved.
- 20.9 If an amendment is rejected, further amendments may be moved on the original motion.
- 20.10 A member may, with the consent of the Chairman, alter a motion of which he has given notice if the alteration is one which could be made as an amendment thereto.
- 20.11 When a motion is under debate no other motion shall be moved except the following:-
 - 20.11.1 to amend the motion
 - 20.11.2 to adjourn the meeting (see 20.12.3)
 - 20.11.3 to adjourn the debate (see 20.12.3)
 - 20.11.4 to proceed to the next business (see 20.12.1)
 - 20.11.5 that the question be now put (see 20.12.2)
 - 20.11.6 that a member be not further heard
 - 20.11.7 that a member does leave the meeting
 - 20.11.8 that the debate be in private
- 20.12 A member having moved and had seconded a motion under 20.11.2, 20.11.3, 20.11.4 or 20.11.5 above, the Chairman shall proceed as follows:-
 - 20.12.1 On a motion to proceed to the next business, unless in his view the matter has been insufficiently discussed, he shall give the mover of the original motion to a right to speak and then put to the vote the motion "to proceed to the next business".
 - 20.12.2 On a motion that the question is now put, unless in his opinion the matter has been insufficiently discussed, he shall first put to the vote the motion "that the question be now put", and if it is passed, he shall give the mover of the original motion the right to speak before putting the original motion to the vote.
 - 20.12.3 On a motion to adjourn the debate or the meeting, if in his opinion the matter has not been sufficiently discussed and cannot be sufficiently discussed at that meeting he shall put the adjournment motion to the vote without giving the mover of the original motion the right to speak.
- 20.13 The mover of a motion has a right to reply at the close of the debate on the motion and any amendment thereto, immediately before it is put to the vote.
- 20.14 A member may speak on a point of order or in personal explanation and be heard forthwith. A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the member shall specify the way in which he considers it has been broken. A personal explanation shall be confined to clarifying any possible misunderstanding of his former speech in the present debate.
- 20.15 The Chairman's ruling on a point of order or the admissibility of a personal explanation shall not be open to discussion.

- 20.16** Whenever the Chairman interrupts a debate, the members shall be silent.
- 20.17** All motions and amendments shall be handed to the Chairman as soon as seconded and the Chairman shall read out such motions and amendments before they are voted upon.
- 20.18** Every member present when a motion is put from the Chair is required to record his vote, or declare the intent to abstain before the vote is taken.
- 20.19** All motions shall, as soon as they have been voted upon, be initialled by the Chairman and passed to the Clerk.
- 20.20** No member shall speak on any matter after it has been voted upon.

21) VOTING BY PROXY

A member unable to attend a meeting shall be entitled to appoint any other member to vote on his behalf on a specific motion by giving written authority. Provided that such written authority is presented to the Clerk prior to, or at the time of the vote, and that the original (unamended) motion is put to the vote, the absent member's vote shall be counted.

22) PROCEEDING TO NEXT BUSINESS

When a motion is carried that the Authority proceed to the next business, the matter under discussion shall be considered as dropped.

23) MOTIONS AFFECTING AUTHORITY EMPLOYEES

If any matter relating to Authority employees or of a committee of it arises at any meeting it shall not be discussed until the meeting has decided whether or not to sit in private session.

24) DISORDERLY CONDUCT

- 24.1** The Chairman may call the attention of members to continued irrelevancy, tedious repetition or any breach of order or decorum on the part of a member and may direct that such member, if speaking, discontinue his speech. In the case of unbecoming language, the Chairman may order the offender to withdraw it and it is the duty of such member to accede.
- 24.2** If at a meeting any member persistently disregards the ruling of the Chair or, in the opinion of the Chairman, behaves improperly or obstructs the business of the Authority, the Chairman, or any other member, may move "That the named member be not further heard", and the motion, if seconded, shall be put and determined without further discussion.
- 24.3** If the member named continues his misconduct after a motion under para. 24.2 has been carried, the Chairman shall:-
 - EITHER: move "That the member named do leave the meeting" (in which case the motion shall be put and determined without seconding or discussion);
 - OR: adjourn the meeting for such period as he shall deem expedient.
- 24.4** If a member of the public interrupts the proceedings at any meeting the Chairman shall warn him. If he continues the interruption, the Chairman shall order his removal from the meeting.
- 24.5** In the event of a general disturbance which in the Chairman's opinion renders the orderly conduct of business impossible, he may adjourn the meeting for such period as he shall deem expedient.

25) POINTS OF ORDER

- 25.1** Any member may speak at any time on a matter of order, commencing his statement that he speaks on a point of order. Any member who was addressing the meeting must thereupon cease speaking.
- 25.2** The member making the point of order shall cease speaking immediately he has submitted his point and concluded his appeal to the Chair.

- 26) QUESTION OF ORDER NOT PROVIDED FOR**
On any question of Order not provided for by these Standing Orders, the decision of the Chairman of the Meeting shall be final and not open to discussion or question.
- 27) BREACHES OF ORDER**
The following acts shall be recognised as breaches of Order:-
- 27.1** Discussion of a matter not before the meeting.
 - 27.2** The use of insulting or offensive language.
 - 27.3** The violation of any Standing Order.
 - 27.4** The imputation of the motives of any member.
- 28) ALTERATION OF STANDING ORDERS**
Any motion to add to, vary or revoke these Standing Orders shall, when proposed and seconded, stand adjourned without discussion to the next Ordinary Meeting of the Authority.
- 29) FINANCIAL INTERESTS OF MEMBERS**
- 29.1** If any member has any financial interest (as defined by the Local Government Act 1985) in any matter under discussion, he shall withdraw from the meeting whilst the subject is under consideration unless:-
 - 29.1.1** The matter is under consideration as part of the report of a committee and is not itself the subject of debate.
 - 29.2** The Clerk shall report to a meeting of the Authority particulars of any notice given by an officer of the Authority under Section 23 of the Local Government Act 1985, of a pecuniary interest in a contract.
 - 29.3** If any member has a vested interest in any matter under discussion they must declare such interest and leave the meeting. If any member fails to disclose an interest, financial or vested, that member will be in breach of Standing Orders and subject to disciplinary action as stated in Standing Order 35. Confidentiality.
 - 29.4** Members must complete a declaration of interest register to be held at the Commissioners Offices, which on request is available for public inspection.
- 30) CANVASSING OF MEMBERS**
Canvassing of members of the Authority or any Committee by any prospective employees shall disqualify the candidate concerned for the appointment. The content of this paragraph shall be included in every advertisement inviting applications for appointments and in any form of application.
- 31) FILLING NEW POSITIONS & VACANCIES**
- 31.1** Any vacancy to be filled, whether of an established post or a new position, unless they are to be filled by promotion or transfer, shall be publicly advertised in the local press and at least one publication circulating primarily among persons who may be expected to possess the necessary qualifications.
 - 31.2** Prior to any advertisement being published under 31.1 above, the Authority shall prepare a comprehensive Job Specification and details of the Terms and Conditions of Employment.
- 32) COMMON SEAL OF THE AUTHORITY**
- 32.1** The Common Seal of the Authority shall be kept in a safe place in the custody of the Clerk.
 - 32.2** The Seal shall not be affixed to any document unless so authorised by resolution of the Authority and recorded in the Minutes.
 - 32.3** The affixing of the Seal shall be in the presence of the Chairman or Vice-Chairman of the Authority AND the Clerk or Deputy Clerk.
- 33) INSPECTION OF DOCUMENTS**
- 33.1** All reports made or minutes kept by any committee of the Authority shall be open to the inspection of any member of the Authority.

- 33.2** Any document which has been considered by the Authority or by a committee of the Authority may be inspected by any member of the Authority provided that such inspection is solely for the purposes of his duty as such member. A member shall not knowingly inspect any document relating to a matter in which he has a professional or pecuniary interest.
- 33.3** The Clerk or Advocate to the Authority shall have the right to decline to permit inspection of any document which is or might be protected by privilege arising from a client/advocate relationship.

34) APPOINTMENT OF COMMITTEES

The Authority shall at the Annual Meeting appoint such committees as are necessary to carry out the work of the Authority but:-

34.1 shall not appoint any member of a committee so as to hold office later than the next annual meeting of the Authority, except for the Commissioners representative on the Cooil Roi Committee, which is a *[number]* year term.

34.2 may at any time appoint or dissolve a committee or alter its membership.

35) CONFIDENTIALITY

All proceedings of all meetings of the Authority and any committee, together with all agenda, minutes, reports, correspondence and communications shall be treated as confidential until they are made public in the ordinary course of the Authority's business. Failure to comply will render the Offending member liable to suspension and possible legal action.

35.1 Failure to comply will render the offending member liable to suspension and possible legal action in accordance with the Local Government Act.

36) FINANCIAL STATEMENTS

At each Ordinary Meeting, in private, the Clerk shall provide each member with a Financial Statement which shall include, but need not be limited to, the following:

- a) Balances brought forward from the previous Statement.
- b) Details of income since the last Statement.
- c) Details of expenditure since the last Statement.
- d) Details of invoices for payment.

37) CHEQUE SIGNING

Cheques shall not be drawn on any of the Authority's bank accounts unless payment shall have been approved at a prior meeting and such cheques shall be signed by the Authority Chairman or Vice Chairman and the Clerk. It shall be the responsibility of the signatories to satisfy themselves that any payments made are in order and approved by the Authority.

38) CORRESPONDENCE

All communications addressed to the Authority shall be acknowledged as soon as reasonably possible by the Clerk, who shall table such communications at the next available Ordinary Meeting. In the event that the Clerk should deem the communication urgent, he shall immediately advise the Chairman of its contents.

39) CLERK & DEPUTY CLERK

A Clerk (and if appropriate, a Deputy Clerk) shall be appointed by the Authority. The Authority shall, in consultation with the Authorities Advocates, determine his (their) terms and conditions of employment which shall be recorded in the Minute Book.

The Duties of the Clerk shall be as laid down in Appendix 'A' hereto.

40) EXPENDITURE

No expenditure in excess of £1,000.00 may be undertaken or committed on behalf of the Authority without Authority approval except that, with the written consent of the Authority Chairman, sums up to £3,000.00 may be expended or committed for urgent repairs or renewals.

41) PUBLIC STATEMENTS

Only the Authority Chairman, or any person authorised by him, shall make any public statement on behalf of the Authority in relation to any matter connected with the Authority's business or any statement which may be construed as purporting to represent the Authority in regard to matters of public interest or public business.

This Standing Order shall not preclude any member voicing an opinion during the course of a Meeting at which members of the press or public are present.

42) SUSPENSION OF STANDING ORDERS

Any of the preceding Standing Orders may be suspended in respect of any business at the meeting where its suspension is moved, but a motion to suspend Standing Orders shall not be moved without notice (i.e. under Standing Order No. 14.7) unless at least three members of the Authority are present at such meeting.

43) MEMBER'S VISITS TO AUTHORITY OFFICES

The Chairman and Vice-Chairman of the Authority may visit the Authority's Offices at any time. Except to attend meetings, other members of the Authority shall not enter such offices of the Authority as are not normally open to the public unless:-

- a) they have urgent matters to deal with which effect the Authority's business, or
- b) they are requested to attend by the Chairman or Vice-Chairman of the Authority or the Clerk or Deputy Clerk.

43.1 A quorum of two members, or one member and the Clerk, of the Commissioners shall go as a delegation to meet with outside bodies. Members shall bring back information from any such meeting to the next full board meeting to help formulate any Commissioners response.

44) CHAIRING OF MEETINGS

If the Chairman is not in the Chair at the start of a meeting, should on arrival take the Chair as soon as the business in hand has been concluded.

45) CHAIN OF OFFICE

The Chairman should retain the chain of office at home (in the Isle of Man), providing adequate insurance cover can be procured. Any out of pocket expense on home insurance to be reimbursed.

46) INTERPRETATION OF STANDING ORDERS

The ruling of the Authority Chairman as to the meaning or application of any of these Standing Orders, or as to the proceedings of the Authority shall not be challenged at any meeting of the authority.

47) PROVISION OF STANDING ORDERS TO EACH COMMISSIONER

Each Commissioner shall, upon the acceptance of his Office, be given a copy of these Standing Orders and in the event that the Standing Orders should subsequently be amended each Commissioner shall be provided with a copy of the amended Standing Orders.

48) CONSIDERATION OF PLANNING MATTERS

The consideration of planning matters in public by the Commissioners will be conducted as follows:

- a) Members of the public will be permitted to speak at the discretion of the Board.
- b) Should any persons create disruption during the course of the meeting, the Chairman may seek to defer consideration, if necessary suspend the meeting.
- c) The Chairman will ask members to vote by show of hands or ballot, either approving or refusing the recommendations. Anyone wishing to abstain must do so before the vote.
- d) The agreement will be minuted, plus any additional conditions/reasons suggested.

- 49) CORPORATE GOVERNANCE PRINCIPLES AND CODES OF CONDUCT**
Members and Officers will work within the guidelines provided in ‘**CORPORATE GOVERNANCE PRINCIPLES AND CODES OF CONDUCT**’ as published by the Local Government Unit.

Part 2 - MAKING OF CONTRACTS

Part A – General

1 Application

These standing orders shall apply to the making of contracts by the Authority, or on its behalf, for the supply of goods or materials or for the execution of works.

2 Invitation of Tenders

- i. Subject to the provision of paragraph (ii) and (iii) and standing order 3, before seeking to make any contract where the total costs are likely to exceed £10,000, the Authority shall cause appropriate notice to be given to the Isle of Man Employers Federation or notice to press giving not less than 14 days notice of the intended contract and inviting tenders therefore by a fixed date and time.
- ii. In the case of a contract for capital works (see standing order 10), the public notice given under paragraph (1) may invite any contractor interested in tendering for the work to submit his name to the Authority and the Authority may then proceed to request tenders from contractors selected from the list of those responding to the notice.
- iii. The Authority may, by resolution, exempt any contract from the provisions of paragraph (2 i) where the Authority is satisfied that the exemption is justified by special circumstances.

3 Exemption

Notwithstanding the provisions of standing order 2(1)-

- i. Tenders for a contract for: the manufacture of an item; the provision of a repetitive service for a period of twelve months or more; the execution of works estimated to cost more than £3,000 should be sought from not fewer than three contractors (without public notice) inviting tenders.
- ii. A contract for emergency works or a contract estimated to cost less than £3,000 may be sought or negotiated directly with a **contractor**, except that the circumstances of any emergency contract exceeding £500 in cost shall be reported to the Authority.

4 Contents of contracts

- i. All written contracts must provide for damages for default by the contractor and for possible cancellation in the case of bribery.
- ii. **To avoid misunderstanding leading to costly errors in manufacture or supply, a complete and clear specification or description of the requirement must be provided for all contracts with a value in excess of £1,000.**

5 Delivery of tenders

Tenders shall be required to be forwarded to the Clerk in plain envelopes marked TENDER. Any tender received after the date and time fixed for receipt shall not be considered.

6 Opening of tender

Tenders shall be opened after the fixed date and time by the Clerk in the presence of either the Chairman or Vice-Chairman of the Authority.

7 Acceptance of tender

Where the Authority decides to accept a tender other than the lowest, the reasons for such action shall be specified in the minutes of the meeting at which the Authority makes that decision. The invitation to tender should make clear that the Authority is not obliged to accept the lowest or any tender.

8 Payments on account

Payments on account to contractors shall be made on a certificate issued by an authorised officer of the Authority which shall show the total amount of the contract, the value of the work executed to date, retention money, amounts paid to date, and the amounts now certified.

9 Variations of contract

Every significant variation on a contract for the execution of works shall be authorised in writing by the Authority. Variations which will result in the amount of the accepted tender being exceeded shall, as soon as possible, be reported to the Authority and, except where unavoidable in the Authority's interest, no expenditure shall be incurred in respect of such variations without the approval of the Authority.

10 Terms of Contract

The maximum length of any contract or partnering arrangement will be 3 years. The contract may be extended by a further 2 years after which the service must be subject to competitive tendering.

Part B – Capital schemes

11 Application

In addition to the foregoing provisions this Part shall have effect in regard to any contract for the execution of works which will form the subject of an application to the Department of Local Government and the Environment for consent to borrowing.

12 Pre-application procedures

The Department of Local Government and the Environment's recommended pre-applications procedures must be observed.

13 Contracts

An appropriate standard form building or engineering contract must be used and every clause completed or deleted as applicable.

14 Price increases

When the contract provided for increases in the cost of labour and materials, a schedule of the prices of labour, materials and goods must be completed. If this schedule is not completed the contract must state that fluctuations will not be allowed.

15 Provisional sums

Provisional sums should be kept to a minimum and wherever reasonably possible, all items should be written into the specification.

16 Additions and variations

Any significant additions and variations to the contract must be approved and minuted by the Authority and written instructions given to the architect/supervising professional appointed by the Authority for the project.

Part C –Supplemental

17 Amendment and revocation of standing orders

Any motion to add to, vary or revoke these standing orders shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Authority,

18 Standing orders to be given to members

A copy of these standing orders shall be given to each member of the Authority by the Clerk upon delivery to him to the member's declaration of acceptance of office on the members being first elected to the Authority.

GIVEN UNDER THE COMMON SEAL OF THE AUTHORITY at a Meeting of the Authority held this

Date:

DUTIES OF THE CLERK TO THE COMMISSIONERS

- 1 To perform all statutory duties required by Local Government Acts.
- 2 To attend all meetings of the Authority.
- 3 To record accurate minutes of the proceedings at Authority meetings and if so requested, of the proceedings at committee meetings.
- 4 To enter said minutes in a Minute Book and to produce the same for approval at the next Authority or committee meeting following.
- 5 To compile and produce an agenda for each Authority meeting and if so requested, for each committee meeting.
- 6 To distribute Notices, Agenda and Minutes of meetings to all Authority members and where appropriate to distribute Minutes and Reports of committees to all Authority members.
- 7 To keep such books of account as are required by the Public Auditor and any other such records as are required by statute or by the Authority.
- 8 To check and retain all invoices and payment vouchers and to have these available for inspection at any Authority meeting and by the Public Auditor.
- 9 To attend with all necessary documents at the Place of Audit at such time as may be required by the Public Auditor.
- 10 To prepare cheques for signature and provide supporting demands for payment.
- 11 To countersign cheques drawn on the Authority's bank accounts.
- 12 To act as an authorised signatory of the Authority in respect of correspondence and contracts approved by the Authority.
- 13 To check all Bank Statements and have these available for inspection at any Authority meeting.
- 14 To prepare a Financial Statement for tabling at each meeting of the Authority, such Statement to provide the information called for under Standing Order No. 42.
- 15 To prepare a draft of the Annual Estimates.
- 16 To peruse, speedily acknowledge and retain all incoming correspondence and to present the same at each Authority meeting.
- 17 To notify the Chairman of any correspondence requiring immediate action.
- 18 To conduct the correspondence of the Authority and its committees in accordance with their directions and to retain copies of all outgoing letters and notices.
- 19 To present at each meeting of the Authority all planning applications and documents appertaining thereto.

- 20 To maintain a Register of all planning applications and retain such applications and documents appertaining thereto in a file designed to facilitate their retrieval.
- 21 To maintain an efficient system for the filing and retrieval of all documents and correspondence.
- 22 To prepare and promulgate public notices as appropriate.
- 23 Under the direction of the Chairman, to prepare and promulgate public statements as appropriate.
- 24 To deal appropriately with all matters concerning elections.
- 25 To faithfully execute all lawful orders and directions of the Authority and Chairman.
- 26 To attend at the Offices of the Commissioners during the specified Hours of Opening.
- 27 To manage the Offices of the Commissioners in a business-like manner and to maintain said Offices in a clean and tidy condition.
- 28 To maintain a payroll of Authority employees and prepare and distribute salaries as appropriate.
- 29 To allocate duties to and supervise Authority employees.
- 30 To keep the Common Seal of the Authority in safe custody.
- 31 To deal in a courteous and efficient manner with members of the public and press.
- 32 To maintain a good working relationship with Government Departments and Local Authority officials.
- 33 To attend such meetings with external parties as are conducive to the efficient running of the Authority's business.
- 34 To conduct the affairs of the Authority in an efficient and business-like manner.
- 35 To keep confidential, during his employment as Clerk and thereafter, all matters relating to Authority business.
- 36 To stay informed of modern office practice and to train the Assistant Clerk in all the duties carried out on behalf of the Commissioners.
- 37 The Assistant Clerk to countersign cheques drawn on the Authority's bank account when the Clerk is unavailable.

<u>ITEM</u>	<u>ST. ORDER</u>	<u>ITEM</u>	<u>ST. ORDER.</u>
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<u>ITEM</u>	<u>ST. ORDER</u>	<u>ITEM</u>	<u>ST. ORDER</u>
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