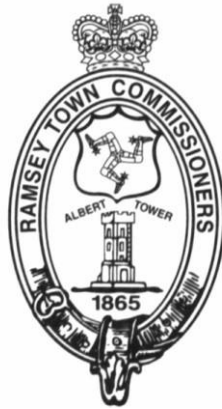


RAMSEY TOWN COMMISSIONERS



STANDING ORDERS

FOR THE REGULATION AND OBSERVANCE

OF PROCEDURE AND BUSINESS WITH

RESPECT TO

MEETINGS OF THE BOARD

AND ITS COMMITTEES

WITH EFFECT FROM 1ST FEBRUARY, 2015.

With Amendments to September 2024.

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Attention is drawn to Standing Order 23 regarding Improper Conduct and to the need for members to be aware that they are NOT protected by "Parliamentary Privilege" when speaking in public at meetings of the Board.

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# **RAMSEY TOWN COMMISSIONERS**

## **STANDING ORDERS**

### **1. MEETINGS OF THE BOARD**

- (1) The annual meeting of the Board shall be held at the Town Hall on such day in May as the Board may fix.
- (2) The ordinary meetings of the Board shall be held at the Town Hall on the Third Wednesday and, if necessary, continue on the following Thursday of each month or on such other day or days as may be decided by resolution of the Board.
- (3) The annual meeting and all other meetings of the Board for the transaction of general business shall commence at seven p.m. unless notice to the contrary be given by the Town Clerk. A meeting shall close no later than 10 p.m. unless decided otherwise by a majority vote of those present.
- (4) An extraordinary meeting of the Board may be called at any time by the Chairman or by the Town Clerk.
- (5) If the Chairman refuses to call an extraordinary meeting of the Board after receiving a requisition for that purpose, signed by at least one-third of the Members, or if without so refusing the Chairman does not call an extraordinary meeting within 7 days after the requisition has been presented to him, then at least one-third of the members may forthwith call such a meeting.
- (6) Any requisition for an extraordinary meeting shall state the nature of the business to be transacted at such meeting, and the same shall be specified in the notice of the meeting and no other business shall be transacted at such meeting.

### **2. NOTICE OF MEETINGS**

A notice of a meeting of the Board, signed by the Town Clerk and specifying the business to be transacted, shall be sent to each member at least four clear days preceding the holding of an annual or ordinary meeting, and in the case of an extraordinary meeting shall be delivered with all possible despatch. A notice shall be left at or be sent by post to the usual place of abode of every member other than if a member gives notice in writing to the Town Clerk of some other address at which notice should be served. Any notice addressed to a member and left at or sent by post to the appropriate address shall be deemed sufficient service of the notice. Want of service of a notice on any member shall not affect the validity of a meeting.

### 3. ELECTION OF CHAIRMAN AND COMMITTEES

- (1) At the Annual Meeting of the Board the Commission shall elect the Chairman, Deputy Chairman and Lead Members of the Board, and any other appointments necessary for the ensuing year.
- (2) The Town Clerk shall occupy the Chair and conduct the proceedings necessary for the election of the Chairman of the Board.

At such election of Chairman, should there be more than one nomination, voting shall be by secret ballot, each member placing a mark, opposite the nominated person for whom he wishes to record his vote.

- (3) The Chairman so elected shall then take the Chair and proceed to the election of:-
  - (a) the Deputy Chairman;
  - (b) the Lead Members of the Board;
  - (c) the Deputy Lead Members of the Board;
  - (d) a member to serve on the Ramsey and Northern Districts Housing Committee. In order to ensure that there is liaison between Ramsey Town Commissioners and the Ramsey and Northern Districts Housing Committee, the Ramsey representative on the Ramsey and Northern Districts Housing Committee should be a member by right of the Housing Committee”.
  - (e) a member to serve on the Northern Local Authorities Swimming Pool Board,
  - (f) any other appointments, including any Special Committees of the Board.

In any case where there are more nominations than vacancies such election shall be by ballot as prescribed in clause (2) hereof. In the event of any candidate failing to receive a majority of the votes of the members present, the candidate with the least number of votes shall be excluded wherever possible. Nominations shall be sought again if an equality of votes prevents the majority election of a member after two ballots, any member nominated in an previous round(s) of voting and any new nominees may be included as a fresh nomination, provided always that each member is duly proposed and seconded.

(4) **Establishment Committee:**

The Establishment Committee shall be a properly constituted Standing Committee and having regard to Clause (3) (a - f) the following members shall constitute such Committee:- the Lead Member for Finance and General Purposes, who will be Chairman; the Chairman of the Board and the Deputy Lead Member for Finance and General Purposes.

The Committee shall meet at least quarterly and may invite other Members or Officers of the Board to attend as considered appropriate.

The remit of the Establishment Committee shall be in accordance with those matters relating to staff personnel and establishment and shall be as detailed within these Standing Orders and Schedule A hereto.

(5) **Policy Committee:**

The Policy Committee shall be a properly constituted Committee of the Board and having regard to Clause (3)(a-f) the following members shall constitute such Committee: The Lead Member for Finance, General Purposes and Establishment, the Lead Member for Parks and Leisure, the Lead Member for Works and Development and , the Lead Member for Housing and Property.

The Committee shall meet at least once per quarter and may may invite other Members or officers to attend meetings as considered appropriate.

The remit of the Policy Committee shall be:

- (a) Considering and formulating policy and long term strategy, for presentation to the Board for discussion, and for subsequently ensuring such policy and long term strategy that is approved by the Board is implemented.
- (b) Advising the Lead Member for Finance to assist with his /her consideration of the amount of rate to be levied in such financial year, in order to meet contemplated expenditure.

(6) **Housing Committee:**

The Housing Committee shall be a properly constituted Committee of the Board and having regard to Clause (3)(a-f) the following members shall constitute such Committee: The Lead Member for Housing and Property, who will be Chairman, the Deputy Lead Member for Housing and property and two other members elected by the Board from within its Membership.

The Committee shall meet at least once per month with a Housing Officer and may invite other Members or officers to attend meetings as considered appropriate.

The remit of the Housing Committee shall be:

- (a) Considering and formulating Housing Policy connected to the provision of Local Authority Housing administered by Ramsey Town Commissioners for presentation to the Board for discussion, and for subsequently ensuring such policy and long term strategy that is approved by the Board is implemented.
- (b) Providing governance and oversight over Housing Allocations for all Local Authority Housing administered by the Ramsey Town Commissioners.

(7) **Northern District Civic Amenity Site Joint Committee:**

The Northern District Civic Amenity Site Joint Committee shall be a properly constituted Committee of the Board and having regard to Clause (3) (a-f) the following members shall constitute such Committee:

One representative of the Ramsey Town Commissioners;  
One representative nominated by each of the parish districts of Andreas, Ballaugh, Bride, Garff (Maughold), Jurby and Lezayre.

The Committee shall meet at least once per quarter and may invite other Members or officers to attend meetings as considered appropriate.

The remit of the Committee shall be to discharge the statutory functions of each of the authorities under section 69 of the Public Health Act 1990 in relation to the operation of the Civic Amenity Site, and all matters of policy in relation to the Site shall be determined by the Joint Committee.

#### **4. CHAIRMAN OF THE MEETING**

The Chairman of the Board shall preside, if present, at a meeting of the Board. In the absence of the Chairman, the Deputy Chairman shall preside, if present, and in the event of both the Chairman and the Deputy Chairman being absent, another member chosen by the members present shall preside. Any power of the Chairman in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

#### **5. QUORUM**

- (1) Subject to sub-paragraph (3) hereof no business shall be transacted at a meeting of the Board unless at least one-half of the whole number of the members of the Board are present,

- (2) If there is not a quorum present at any stage of a meeting of the Board, the meeting shall stand adjourned. Consideration of any business not transacted shall be adjourned to a time fixed by the Chairman at the time the meeting is adjourned or, if the Chairman does not fix a time, to the next ordinary meeting of the Board,
- (3) Where more than one-third of the members of a local authority become disqualified at the same time, unless the number of members in office is increased to not less than two thirds of the whole number of members of the authority, the quorum of the authority shall be determined by reference to the number of members of the authority remaining qualified instead of by reference to the whole number of members of the authority,
- (4) No business shall be transacted at a meeting of a Special Committee unless at least three voting members are present provided that in the event of only two voting members being present recommendations as to a proposed course of action may be submitted to the Board for consideration.

## **6. VALIDITY OF PROCEEDINGS**

The proceedings of the Board shall not be invalidated by any vacancy among the number of the Board or by any defect in the election or qualification of any member.

## **7. RECORD OF ATTENDANCES**

The Town Clerk shall record the members present at a meeting of the Board and shall also note in the minutes the time at which any member leaves the meeting other than temporarily.

## **8. MAJORITY**

- (1) Subject to the provisions of any enactment, all questions coming or arising before the Board shall be decided by a majority of the members present and voting thereon at a meeting of the Board.
- (2) Subject to those provisions, the person presiding at the meeting shall have a second or casting vote in the case of an equality of votes, and shall be free to cast that vote as he or she thinks fit and not be under any obligation, real or perceived, to vote for maintaining the status quo.

## **9. VOTING**

- (1) The mode of voting at meetings of the Board shall be at the discretion of the Chairman except as provided for in Standing Order 3.
- (2) Only those members who are present when the question is put from the Chair shall be entitled to vote.
- (3) Every member present when the question is put from the Chair shall be required to record his vote for or against.
- (4) The voting on any question shall be recorded so as to show whether each member present voted for or against that question.

## **10. MINUTES OF MEETINGS**

- (1) Minutes of proceedings of every meeting of the Board shall be drawn up and recorded by the Town Clerk or some other authorised officer.
- (2) A copy of the minutes of the last preceding ordinary meeting and of any intermediate extraordinary meetings of the Board shall be sent to each member with the notice convening the ordinary meeting.
- (3) At such ordinary meeting the Chairman shall put the questions that such minutes be signed as a correct record. No motion or discussion shall take place upon the minutes, except upon their accuracy, and any question on their accuracy shall be raised by motion.
- (4) If no such question is raised, or if it is raised, then as soon as it has been disposed of, the Chairman shall sign the minutes or the corrected minutes as the case may be, and shall initial each consecutively numbered leaf comprising those minutes.

## **11. APPLICATION OF STANDING ORDERS TO SPECIAL COMMITTEES**

- (1) Standing Orders 6 to 10 shall apply in relation to a Special Committee of the Board or a sub-committee of any such committee as they apply in relation to the Board.
- (2) Until the contrary is proved, where a minute of any meeting of any such committee or sub-committee has been made and signed in accordance with Standing Order 10 as applied by this paragraph, the Committee or sub-committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minute, the meeting shall be



deemed to have been duly convened and held and the members present at the meeting shall be deemed to have been duly qualified.

## **12. DISCLOSURE OF INFORMATION**

- (1) All agenda, reports, and other documents and all proceedings of Special Committees and the Board shall be treated as confidential unless and until they become public in the ordinary course of the Board's business.

Except that any question arising at a meeting of a Special Committee or of the Board, as to the appointment, promotion, dismissal, salary, superannuation, conditions of service, or conduct of any person employed by the Board, shall not be the subject of a public minute or report to be discussed in public unless and or until the Board has otherwise determined.

- (2) All matters dealt with or brought before the Board when sitting in private shall be treated as strictly confidential and, unless otherwise determined by the Board, shall not be disclosed to any person outside the Board.
- (3) Any member or former member of the Board who, without the consent of the Board, divulges any information communicated to him in confidence whilst a member shall be guilty of an offence and liable on summary conviction to a fine.

## **13. ORDER OF BUSINESS.**

- (1) Except as provided for by paragraph (2), the order of business at every meeting of the Board shall be transacted in the following order:-
  - (a) choice of a person to preside if the Chairman or Deputy Chairman be absent,
  - (b) any business required by statute to be done,
  - (c) to approve as a correct record and sign the minutes of the previous ordinary meeting and of any intermediate extraordinary meeting or meetings,
  - (d) business arising out of such minutes if not referred to in the minutes of any Special Committee,
  - (e) the Commission's Action Tracker, detailing ongoing matters and any action undertaken,
  - (f) business adjourned from a previous meeting,
  - (g) consideration of reports and correspondence appearing on the agenda,
  - (h) motions in the order in which notice has been received,
  - (i) other business, if any, authorised by the Chairman for consideration,
  - (j) Matters raised from the public of Ramsey for discussion
  - (k) Chairman's announcements

- (2) Business falling under items (a), (b), (c) or (d) of paragraph (1) shall not be displaced, but subject thereto the foregoing order of business may be varied:-
  - (a) at the discretion of the Chairman; or
  - (b) to allow Lead Members to present all items within their remit at the same time; or
  - (c) by a resolution duly moved and seconded and passed on a motion which shall be moved and put without discussion.
- (3) Any business which the Board decided shall be taken in private shall be postponed until the conclusion of the other business and then be transacted in private.

## **14. NOTICES OF MOTION**

- (1) Notices of every motion relating to any new subject or matter not already before the Board, other than a motion which under Standing Order 15 may be moved without notice, shall be given in writing at the ordinary meeting preceding the one at which it is intended to bring it forward or it shall be delivered in writing, duly signed by the member giving the notice, at the office of the Town Clerk at least 5 clear days before the next meeting.
- (2) Any notice delivered to the Town Clerk shall be dated and numbered by him, in the order in which it is received, and entered in a book which shall be open to inspection by any member of the Board.
- (3) The Town Clerk shall set out in the summons for every meeting of the Board any motion of which notice has been duly given in the order in which it was received, unless the member giving such notice intimated, in writing, when giving it, that he proposes to move it at some later meeting, or has since withdrawn it in writing.
- (4) If a motion thus set out in the summons be not moved either by a member who gave notice thereof or by some other member on his behalf it shall, unless postponed by consent of the Board, be treated as withdrawn and shall not be moved without fresh notice.
- (5) If the subject matter of any motion of which notice has been duly given comes within the province of any Special Committee it shall, upon being moved and seconded, stand referred without discussion to such Committee, as the Board may determine, for consideration and report.
- (6) Every motion shall be relevant to some matter in relation to which the Board have powers or duties or which affects the district.

Provided that the Chairman may, if conducive to the despatch of business, allow the motion to be dealt with at the meeting at which it is brought forward.

## **15. MOTIONS AND AMENDMENTS WHICH MAY BE MOVED WITHOUT NOTICE**

The following motions and amendments may be moved without notice:-

- (i) on the accuracy of the minutes,
- (ii) for the precedence of any business specified in the notice,
- (iii) for referring any business to a Special Committee,
- (iv) for appointing or deferring any business for consideration at a future meeting,
- (v) for the appointment of a Special Committee or members thereof, occasioned by an item mentioned in the summons to the meeting,
- (vi) for the adjournment of any meeting or debate,
- (vii) for dealing with correspondence, reports and recommendations of Special Committees or officers, or other documents and any consequent resolutions,
- (viii) for amendments to any motion,
- (ix) for hearing any application or evidence,
- (x) for appointing a Chairman,
- (xi) that the Chairman do leave the Chair,
- (xii) for the suspension of any specified standing order or orders, in accordance with Standing Order 36,
- (xiii) that any specified business be transacted in private at a later stage in the meeting.
- (xiv) for taking any business from the private business for consideration in public,
- (xv) that a member named under Standing Order 23 be not further heard or do leave the meeting,
- (xvi) for leave to withdraw a motion before a vote has been taken, but not afterwards,
- (xvii) that a member be now heard,
- (xviii) that the question be now put,
- (xix) to proceed with the next business,
- (xx) authorising the sealing of documents,
- (xxi) inviting a member to remain under Standing Order 29,
- (xxii) that the Board do now adjourn.

Provided that a motion moved and seconded under paragraphs (x) - (xxii) inclusive shall be put without debate.

## **16. AMENDMENTS**

- (1) Amendments to any motion must be relevant thereto and shall not have the effect of introducing a new proposal into or negating the motion before the Board. When an amendment has been moved no second amendment shall be considered until the first is disposed of.
- (2) If such amendment is carried, it shall then be submitted as a substantive or original motion, upon which a further amendment may be move.

- (3) If a first amendment be negatived, a further amendment to the original question may be moved, but only one amendment can be submitted for discussion at any one time.

## **17. MOTIONS OR AMENDMENTS TO BE SECONDED**

A member when seconding a motion or amendment may declare his intention to reserve his speech until a later period in the debate.

## **18. RULES OF DEBATE FOR BOARD MEETINGS**

- (1) A motion or amendment shall not be discussed unless it has been proposed and seconded, and unless notice has already been given in accordance with Standing Order 14 it shall, if required by the Chairman, be put into writing and handed to the Chairman before it is further discussed or put to the meeting.
- (2) A member when speaking shall stand and address the Chairman. If two or more members rise, the Chairman shall call on one to speak and the other or others shall then sit. Whilst a member is speaking the other members shall remain seated, unless rising to a point of order or in personal explanation.
- (3) A member shall direct his speech to the question under discussion or to a personal explanation or to a point of order.
- (4) An amendment shall be relevant to the motion and shall be either:-
  - (a) to defer a subject of debate for consideration or reconsideration at a future meeting,
  - (b) to leave out words,
  - (c) to leave out words and insert or add others,
  - (d) to insert or add words,

but such omission, insertion or addition of words shall not have the effect of negating the motion before the Board.

- (5) Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of,

provided that the Chairman may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest that this course would facilitate the proper conduct of the Board's business.

- (6) If any amendment be lost, other amendments may be moved on the original motion. If an amendment be carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendments may be moved.
- (7) A member may, subject to the consent of the Board having been signified without discussion:-
- (a) alter a motion of which he has given notice, or
  - (b) with the further consent of his seconder alter a motion he has moved,
- if (in either case) the alteration is one which could be made as an amendment thereto.
- (8) A motion or amendment may be withdrawn by the mover with the consent of his seconder and of the Board, which shall be signified without discussion, and no member may speak upon it after the mover has asked permission for its withdrawal, unless such permission shall have been refused.
- (9) The mover of a motion has a right of reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right at the close of the debate on the amendment, and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on his amendment and no member shall speak on any subject after the same has been put to the vote.
- (10) When a motion is under debate no other motion shall be moved except the following:-
- (a) to amend the motion,
  - (b) to adjourn the meeting,
  - (c) to adjourn the debate,
  - (d) to proceed to the next business,
  - (e) that the question be now put,
  - (f) that a member be not further heard,
  - (g) by the Chairman under Standing Order 23 (2) that a member do leave the meeting,
  - (h) a motion under Standing Order 15 (xiii) or 23 (6) to exclude the public,
  - (i) to postpone consideration of the motion,
  - (j) that the subject under debate be referred to a Special Committee.
- (11) A member may move without comment at the conclusion of a speech of another member, "That the Board proceed to the next business"; or "That the question be now put"; "That the debate be now adjourned"; or "That the Board do now adjourn", on the seconding of which the Chairman shall proceed as follows:-

- (a) on a motion to proceed to the next business; unless in his opinion the matter before the meeting has been insufficiently discussed, he shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to next business,
  - (b) on a motion that the question be now put; unless in his opinion the matter before the meeting has been insufficiently discussed, he shall first put to the vote the motion that the question be now put, and if it is passed then give the mover of the original motion his right of reply under paragraph (11) of this Standing Order before putting his motion to the vote,
  - (c) on a motion to adjourn the debate or the meeting, if in his opinion the matter before the meeting has not been sufficiently discussed and cannot be reasonably be sufficiently discussed on that occasion he shall put the adjournment motion to the vote without giving the mover of the original motion his right of reply on that occasion.
- (12) A member may rise on a point of order or in personal explanation and shall be entitled to be heard forthwith. A point of order shall relate to an alleged breach of a standing order or statutory provision and the member shall specify the standing order or statutory provision and the way in which he considers it has been broken. A point of order may also relate to discussion of a motion which, if affirmed, would require the Board or its officials to act ultra vires. A personal explanation shall be confined to some material part of a former speech by him which may appear to have been misunderstood in the present debate.
- (13) The ruling of the Chairman during debate or on the admissibility of a personal explanation shall not be open to discussion.
- (14) Whenever the Chairman rises during a debate a member then standing shall resume his seat and the Board shall be silent.

## **19. INTERVENTION OF TOWN CLERK IN DEBATE**

Notwithstanding anything contained in these standing orders, it shall be competent for the Town Clerk, with the consent of the Chairman, to make any statement in relation to any matter or thing connected with the public interest or public business and it shall be competent for any member speaking during the progress of a debate to address any question through the Chairman to the Town Clerk or other officer in attendance in relation to any matter or thing in connection with the subject under consideration.

## **20. RESCISSION OF PRECEDING RESOLUTION**

- (1) No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed unless the notice

thereof given in pursuance of Standing Order 14 bears the signature of at least six members of the Board.

- (2) When any such motion or amendment has been disposed of by the Board it shall not be open to any member to propose a similar motion or amendment during any meeting of the Board within a further period of six months.

## **21. ADJOURNMENT OF MEETING OR DEBATE**

- (1) When any member has the right to speak, he may move the adjournment of the meeting or the debate if he confines his observations to the matter of adjournment. A member moving an adjournment under this order may be heard in support for not more than five minutes: and one other member may be heard in opposition similarly before the motion is put to the vote without further debate.
- (2) An amendment to a motion to adjourn may be moved if it relates to only the question of time.

## **22. REPORTS AND CORRESPONDENCE**

- (1) The adoption of reports and recommendations shall be moved by the appropriate Lead Member, or should he decline or be unable, then by some other member of the Board.
- (2) All correspondence for consideration by the Board shall be submitted to the Town Clerk.
- (3) Any correspondence received later than four days prior to the day of a meeting shall not be considered at such meeting unless the Town Clerk is consulted and agrees otherwise.
- (4) Provided that the provisions of sub-section (2) and (3) shall not prevent the Chairman of the Board from ruling on whether or not to consider any late item of correspondence.

## **23. ACTION TRACKER**

- (1) The action tracker shall be presented as a record of resolutions of the Board from previous meetings, which have outstanding actions and/or awaiting responses. Upon agreeing a resolution it shall be taken that the resolution be added to the action tracker without need of further proposals to that effect. These items on the Action Tracker will be added in time for the subsequent meeting, following the resolution.

- (2) The Action Tracker should reflect the following information;
  - (a) The date of the Board resolution
  - (b) A description of the item in question as a high level title
  - (c) Detail of the current position
  - (d) The last action taken and date
  - (e) The individual responsible for this matter
  - (f) Target Completion Date
- (3) When the item is completed it will be removed from the action tracker in time for the subsequent meeting, following the notification of completion.

## **24. IMPROPER CONDUCT**

- (1) If at a meeting any member of the Board who, in the opinion of the Chairman, misconducts himself by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Board, the Chairman or any other member may move "That the member named be not further heard", and the notice if seconded shall be put and determined without discussion.
- (2) If the member named continues to act improperly after a motion under the foregoing paragraph 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 and without discussion, and if such motion is carried the member named shall be under a duty to withdraw from the meeting),

OR adjourn the meeting of the Board for such period as he in his discretion shall consider expedient.
- (3) If the Chairman rules that language used by a member ought to be withdrawn it shall be the duty of that member to withdraw it.
- (4) Any member or members making comments of a derogatory or defamatory nature and refusing to withdraw such comments, shall be solely responsible for the consequences of his or their actions. Any member or members shall also be under a duty to desist from making derogatory or defamatory comments of a personal nature concerning other public bodies and/or elected representatives.
- (5) In the event of general disturbance, which in the opinion of the Chairman renders the due and orderly despatch of business impossible, the Chairman in addition to any other powers vested in him may, without question put, adjourn the meeting of the Board for such period as he in his discretion shall consider expedient.



- (6) If a member of the public interrupts the proceedings of any meeting, the Chairman may, after warning, order his removal from the Boardroom, or may order that the public be cleared from the Boardroom.

## **25. SEALING OF DOCUMENTS**

- (1) The Common Seal of the Board shall not be affixed to any document unless the sealing has been authorised by a resolution of the Board or of a Special Committee to which the Board have delegated powers in this behalf, but a resolution of the Board (or of a Committee where that Committee has the power) authorising the acceptance of any tender, the purchase, sale, letting, or taking of any property, the issue of any stock, the presentation of any petition, memorial, or address, the making of any rate or contract, or the doing of any other thing, shall be a sufficient authority for sealing any document necessary to give effect to the resolution.
- (2) The seal shall be attested by the following persons present at the sealing, viz., the Chairman or Deputy Chairman of the Board or other member of the Board, and the Town Clerk or Deputy Town Clerk of the Board. An entry of every document to which the seal has been affixed shall be made in a book provided and kept for that purpose.

## **26. CUSTODY OF SEAL**

The Common Seal of the Board shall be kept in a safe place in the custody of the Town Clerk and shall be secured by two different locks, the keys of which shall normally be kept respectively by the Chairman and the Town Clerk.

## **27. AUTHENTICATION OF DOCUMENTS**

Any notice, order or other document which the Board is authorised to give, make or issue shall be signed on behalf of the Board by the Town Clerk or a person authorised in that behalf by the Town Clerk or the Board.

## **28. INSPECTION OF DOCUMENTS**

- (1) A member of the Board may, for the purposes of his duty as such member but not otherwise, on application to the Town Clerk inspect any document which has been considered by a Special Committee or by the Board, and if copies are available shall on request be supplied for the like purposes with a copy of such document.

Provided that a member shall not knowingly inspect and shall not call for a copy of any document relating to a matter in which he is professionally

interested or in which he has directly or indirectly any pecuniary interest within the meaning of sections 11 and 12 of The Local Government Act, 1985.

This standing order shall not preclude the Town Clerk or the advocate to the Board from declining to allow inspection of any document which is or in the event of legal proceedings would be protected by privilege arising from the relationship of advocate and client.

- (3) All minutes and reports of a Special Committee shall, as soon as the Committee has concluded action on the matter to which such minutes or reports relate, be open for inspection by any member of the Board.

## **29. INSPECTION OF LANDS, PREMISES, ETC.**

Unless specifically authorised to do so by the Board or a Special Committee, a member of the Board shall not issue any order respecting any workings which are being carried out by or on behalf of the Board or claim by virtue of his membership of the Board any right to inspect or to enter upon any lands or premises which the Board have the power or duty to inspect or enter.

## **30. INTEREST OF MEMBERS IN CONTRACTS AND OTHER MATTERS**

If any member of the Board has any pecuniary interest direct or indirect within the meaning of Sections 11 and 12 of The Local Government Act, 1985, (other than an indirect interest described in sub-section 14 (4) - (6) thereof), in any contract, proposed contract, or other matter, that members shall withdraw from the meeting while the contract, proposed contract, or other matter, is under consideration by the Board unless -

- ( i) the disability to discuss that matter imposed upon him by the section has been removed by the Isle of Man Local Government Board under Section 14 (1) thereof; or
- ( ii) the contract, proposed contract, or other matter is under consideration by the Board as part of the report of a Special Committee and is not itself the subject of debate; or
- (iii) the Board invites him to remain.

A member shall be guided by the National Code of Local Government Conduct as issued by the Department of Local Government and the Environment in all matters of interest of either a pecuniary or non-pecuniary nature.

[This Standing Order should be read in conjunction with Standing Order 42 Register of Members' Interests.]

### **31. INTEREST OF OFFICERS IN CONTRACTS**

The Town Clerk shall report to a meeting of the Board particulars of any notice given by an officer of the Board under section 23 of The Local Government Act, 1985, of a pecuniary interest whether direct or indirect in a contract.

### **32. MOTIONS AFFECTING PERSONS EMPLOYED BY THE BOARD**

If any question arises at a meeting of the Board (or of a Special Committee thereof) as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, or as to the conduct of any person employed by the Board, such question shall not be considered in public and shall not be the subject of discussion until the Board has decided whether or not to sit as a Committee in private session.

### **33. FILLING OF NEW POSTS AND VACANCIES**

- (1) No new office shall be created, nor any person be employed in addition to the Board's establishment except with the agreement of the Board.
- (2) All vacancies to be filled in established posts of the Board (not being posts at a weekly wage), unless they are to be filled by promotion or transfer, shall be advertised publicly unless the Board determines otherwise.  
Provided that where, a similar vacancy occurs, within six months of such a vacancy having been advertised, the Board may appoint one of the former applicants.

Details of unsuccessful applicants for employment must be deleted or destroyed six months after the successful applicant took up his or her post, unless the post has become vacant.

### **34. VOTING ON APPOINTMENTS**

Where there are more than two persons nominated for any position to be filled by the Board, 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 be taken, and so on until a majority of votes is given in favour of one person.

### **35. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS**

- (1) Canvassing of members of the Board or any Special Committee of the Board directly or indirectly for any appointment under the Board shall disqualify

the candidate concerned for that appointment. The purport of this paragraph of this standing order shall be included in every advertisement inviting applications for appointments or in any form of application.

- (2) A member of the Board shall not solicit for any person any appointment under the Board, and this paragraph of this standing order shall preclude a member from giving a written testimonial of a candidate's ability, experience, or character for submission to the Board with an application for appointment.

### **36. RELATIVES OF MEMBERS OR OFFICERS**

- (1) A candidate for any appointment under the Board who knows that he is related to any member or officer of the Board shall when making application disclose that relationship to the Town Clerk. A candidate who fails to disclose such a relationship shall be disqualified for the appointment and if appointed shall be liable to dismissal without notice. Every member and officer of the Board shall disclose to the Town Clerk any relationship known to him to exist between himself and any person whom he knows is a candidate for an appointment under the Board. The Town Clerk shall report to the Board or to the appropriate Committee any such disclosure made to him.
- (2) The purport of this standing order shall be included in every advertisement inviting applications for appointments or in any form of application.
- (3) For the purpose of this standing order persons shall be deemed to be related if they are husband and wife or if either of them or the spouse of either of them is the son or daughter or grandson or granddaughter or brother or sister or nephew or niece of the other, or of the spouse of the other.

### **37. SUSPENSION OF STANDING ORDERS**

- (1) Subject to standing order 8 (Majority) and to paragraph (2) of this standing order, any of the preceding standing orders may be suspended so far as regards any business at the meeting where such suspension is moved.
- (2) A motion to suspend standing orders shall not be moved without notice unless there shall be present at least two-thirds of the whole number of the members of the Board.

### **38. VARIATION 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 Board. No new or revised standing order or any revocation of a standing order shall be valid or binding until confirmed by the Board at the ordinary meeting held after the meeting at which it was approved.

### **39. STANDING ORDERS TO BE GIVEN TO MEMBERS**

A copy of these standing orders, and of such statutory provisions as regulate the proceedings and business of the Board, shall be given to each member of the Board by the Town Clerk upon delivery to him of the member's Declaration of Acceptance of Office on the member being first elected to the Board.

### **40. INTERPRETATION OF STANDING ORDERS**

The ruling of the Chairman as to the construction or application of any of the standing orders, or as to any proceedings of the Board, shall not be challenged at any meeting of the Board.

### **41. LEAD MEMBERS**

- (1) A Lead Member shall be appointed by the Board to undertake special responsibilities for each of:-
  - (a) Finance, General Purposes and Establishment matters;
  - (b) Parks and Leisure matters;
  - (c) Works and Development matters.
  - (d) Housing and Property matters; and
- (2) The areas of special responsibility of each Lead Member shall be as set out in Schedules A - D respectively of these standing orders.
- (3) The Board may at any time delegate any matter not coming within the special area of responsibility of any Lead Member.
- (4) Each respective Lead Member shall be given delegated authority at the discretion of the Board for day-to-day matters coming within each respective special area of responsibility. It shall be the duty of every Lead Member to liaise as necessary with the Town Clerk, Finance Officer, Chief Technical Officer or any other designated official in dealing with delegated matters and in advising and informing the Board.
- (5) Questions as to the extent and nature of delegated authority to be given to Lead Members and to the Town Clerk, Finance Officer or Chief Technical

Officer will be decided by the Board from time to time. Orders or instructions to be given to an official of the Board in relation to any matter shall be conveyed only by the Town Clerk, Finance Officer or Chief Technical Officer or in their absence by any other designated official.

- (6) That, in accordance with and subject to the provisions of Standing Order 40, Lead Members are delegated the following responsibilities:
- (a) Implementation within their special area of responsibility of policy and strategy as determined by the Board.
  - (b) Oversight of day to day matters that may arise from time to time within their special area of responsibility.
  - (c) Monitoring allocated Budget that falls within their special area of responsibility, within the overall Budget set by the Board

Provided that, at the next monthly Board meeting after such delegated powers are exercised, a report is tabled at the Board setting out the use of these delegated powers for approval.

## **42. REGISTER OF MEMBERS' INTERESTS**

### **(1) Purpose:**

The purpose of these Rules is to place a duty on Members of the Board to identify interests which should be registered in order to inform the Board and the public of any circumstances arising from them which could reasonably be regarded as bearing upon the way in which any Member may carry out his/her duties.

### **(2) Duty to Register Interests :**

- (a) A Member having a registrable relevant interest must register it, unless there is good reason to the contrary, either within one month of the date on which it becomes registrable, or before any material debate in a Meeting of the Board
- (b) A relevant interest becomes registrable when it is acquired, or comes into existence.
- (c) A material debate is a debate in a Meeting of the Board in which a relevant interest of the Member in question could reasonably be regarded as having a bearing.

### **(3) Relevant Interest**

A relevant interest is any past interest (existing at any time from 12 months before the Member's election) or present interest which may affect, or reasonably be perceived as affecting, a Member's judgement on the way in which he/she may carry out his/her duties, and includes in particular:

- (i) a legal or equitable interest in any of the following

- (a) land or buildings, except the Member's principal private residence;
  - (b) shares or stock held in any company whose shares or stock are publicly quoted on a stock exchange in the United Kingdom or Ireland;
  - (c) shares or stock held in any company other than one within (b) above; where any asset to which such a company may be entitled is or represents a right, interest or circumstance which is itself a relevant interest, details of that asset and of its value shall be declared;
  - (d) a legal right, including a deposit or loan of money or money's worth, of more than £50,000 in value save where the reason for which the right in question has come into existence is of an immediate family or personal nature (including inheritance), it has not been created with a view to profit and any interest earned is at normal commercial rates.
- (ii) a directorship, consultancy, proprietorial or managerial role whether paid or not in, or in relation to, any business or professional undertaking (other than one wholly supported by public funds);
  - (iii) sponsorship in money or money's worth from a trade union, professional society, political grouping or party, registered charity, person or persons other than the Member's immediate family, or from a cultural or religious source, or a consultancy with any of the foregoing whether paid or not;
  - (iv) gifts and benefits in kind of any amount which might be taken to affect the way in which a Member may vote or otherwise carry out their public duties with the name and address of the donor, and the capacity in which the gift or benefit has been given, but excluding:
    - (a) all inheritances;
    - (b) gifts or benefits received from the Member's immediate family; and
    - (c) attendance at functions in the course of Ramsey Town Commissioners duties;
  - (v) the authorship of a book, pamphlet or the like, or of an article or column in a newspaper or journal or on the Internet, which does not appear under the Member's name;
  - (vi) membership of any trade union, professional society, political grouping or party, or of the Freemasons or anybody outside of the Board.

#### **(4) Operation of the Register**

- (a) A relevant interest shall be registered by the Member submitting to the Town Clerk a notification in writing. On receiving a notification, the Town Clerk shall cause it to be entered in the Register as soon as reasonably practicable.
- (b) A Member who has registered a relevant interest shall, if it ceases to be a relevant interest, so notify the Town Clerk by giving a notification in writing. On receiving such a notification, the Town Clerk shall cause the Register to be updated as soon as reasonably practicable.

- (c) The Register shall be available for public inspection at the Town Hall during normal office hours.
- (d) The Register will be displayed on the website of the Commission.”

[This Standing Order should be read in conjunction with Standing Order 29 Interest of Members in Contracts and Other Matters.]

## **SCHEDULE A**

### **FINANCE, GENERAL PURPOSES AND ESTABLISHMENT**

It shall be the duty of the Lead Member for Finance, General Purposes and Establishment matters, subject to the provisions of these standing orders and of any amendments thereto, to advise and inform the Board with regard to the following matters:-

- (1) Payment of all accounts together with all salaries, wages, interest, rents, rates, taxes and other fixed charges; for which purpose all cheques issued on behalf of the Board shall be signed by any two of the officers designated by the Board for that purpose.

All electronic payment issued on behalf of the Board shall be authorised in accordance with the procedures authorised by the Board.

- (2) Preparation of estimates of the probable income and expenditure of the Board for the ensuing year.
- (3) Consideration of the amount of rate to be levied in such financial year, in order to meet the contemplated expenditure.
- (4) Control of the collection of all rents due to the Board.
- (5) Responsible Financial Officer:

- (1) Every Department and board, and the head of every office of the Government, shall nominate an officer of that Department, Board or office to exercise the functions of the responsible financial officer under these Regulations.
- (2) Every specified body, other than one falling within paragraph (1), shall appoint or nominate an officer of the body to exercise the functions of the responsible financial officer under these Regulations. In this paragraph (2), “officer” includes member but only if the specified body has no officer that it can appoint or nominate to exercise the functions of the responsible financial officer under these Regulations.
- (3) The responsible financial officer shall determine on behalf of the body the accounting records and accounting control systems to be maintained by the body.



- (4) Paragraph (3) is subject to the requirements of regulation 6, and to any instructions (not being inconsistent with those requirements) given by the body.
- (5) The responsible financial officer shall ensure –
  - (a) that the accounting control systems are observed; and
  - (b) that the accounting records are maintained in accordance with proper practices and are kept up to date;
  - (c) that the accounts of the body are prepared in accordance with these Regulations and any other statutory requirements applicable to them;
  - (d) that the accounts and any relevant accounting records presented for audit are sufficient for audit purposes.
- (6) In this regulation, “Board” has the same meaning as in the Civil Service Act 1990.
- (6) Control of the collection of all rates and other accounts due to the Board.
- (7) Preparation, not less than once a quarter, of an account of the receipts and payments of the Board for the period of the financial year to that date including comparative variances of the same period during the previous financial year.
- (8) Supervision of the keeping of all necessary books of account and other records and control of the banking arrangements.
- (9) Annual presentation to the Board of a statement of the receipts and payments, or the income and expenditure, as the case may be, for financial year commencing on the first day of April and ending on the thirty-first day of March, together with a statement of the assets and liabilities as at the 31st March.
- (10) Receipt of the External and Internal Auditor's Report upon the annual statement of accounts.
- (11) Ensuring that all necessary insurance policies are taken out and that the amounts insured are adequate.
- (12) Consideration of all applications for licences, certificates and permissions, except those delegated to any other Special Committee.
- (13) Consideration of any proposed expenditure not provided for in the estimates for the current financial year.
- (14) Negotiation of all authorised loans for capital expenditure from Isle of Man Bank or by any approved means, preparation of securities for the same and arrangements for repayment of such loans.
- (15) Investment of the Board's financial assets.

- (16) Consideration of all Bills introduced into the Insular Legislature which may affect, directly or indirectly, the Board.
- (17) Consideration of byelaws or amendments to existing byelaws as appear to be necessary or desirable.
- (18) Consideration of all matters relating to staff personnel and establishment, and matters of furnishing and equipment in the Town Hall.

## **SCHEDULE B**

### **PARKS AND LEISURE**

It shall be the duty of the Lead Member for Parks and Leisure, subject to the provisions of these standing orders and of any amendments thereto, to advise and inform the Board with regard to the following matters:-

- (1) Supervision and adequate maintenance of the Mooragh Park and Mooragh Estate, including all buildings and equipment, roads and car parks, macadam footpaths, lake and island walls, footbridge and landing stage, pump and sluice gates, boating pool, wishing well, tennis courts and play equipment, but excluding public conveniences.
- (2) Supervision of the upkeep of all housing estate open grass areas owned by the Board, the Coronation Park, and the repair and maintenance of the play equipment, all buildings, walls, macadam footpaths and fences within playgrounds (but excluding toilets) the Teare Memorial Garden, Peveril Plot, Brookhill, Vollan and Mooragh Broughs and footpaths, and all other gardens, open spaces, grass verges, fences and hedges, trees owned or under the control of the Board, and the nursery and equipment.
- (3) Supervision of the operation of the Library, associated staff and facilities, including equipment and the provision of books and periodicals for both lending and reference purposes, but excluding the maintenance and repair of the building.
- (4) Supervision of the upkeep of the Poyll Dooey Nature Reserve.
- (5) Provision of any entertainment and any catering or other facility that the Board may think fit.

## **SCHEDULE C**

### **WORKS AND DEVELOPMENT**

It shall be the duty of the Lead Member for Works and Development subject to the provisions of these Standing Orders and of any amendment thereto, to advise and inform the Board with regard to the following matters:-

- (1) Responsibility for the maintenance of public health in accordance with the Local Government Act and in consultation with the appropriate Government Department.
- (2) For carrying out all works **other than housing** as ordered by the Board.
- (3) Supervision of the construction and maintenance of all sewerage and drainage works, pumps, plant and associated buildings.
- (4) Consideration of all applications for permissions to connect private premises to the sewerage system and to recommend the charge, if any to be made therefore.
- (5) With regard to the provision and supervision of adequate street lighting and decorative lighting.
- (6) Ensuring that the sites of demolished buildings and the surrounding and adjacent areas thereto are kept tidy and free from rubble and other materials.
- (7) Supervision of the removal of household and trade refuse and the disposal of such refuse.
- (8) Supervision of the proper protection, enclosure and lighting of all holes, buildings or conditions which, in the opinion of the Board, are dangerous to passers-by.
- (9) Removal of all nuisances.
- (10) The maintenance of the beaches in a clean and tidy condition and provision of an adequate supply of decorative flags.
- (11) The provision and supervision of all off-street car parks and liaison with the appropriate Government Department(s) on all traffic arrangements in the town including the provision of car parks, parking facilities and matters of traffic control in terms of the Road Traffic Acts.
- (12) The supervision and financial provision for adequate maintenance of all public seats, shelters and town clocks.
- (13) Liaison with the appropriate Government Department(s) regarding the supervision and control of all bakehouses, foodshops, and catering establishments.
- (14) All duties bestowed upon the Board under the provisions of the Local Government [Miscellaneous Provisions] Act, 1984, so far as they affect the removal and disposal of vehicles, and the maintenance of open land.
- (15) Consideration of planning applications, and works in relation to the building byelaws.
- (16) The demolition of insanitary buildings which have been condemned.

- (17) On the provisions of the Housing Acts with regard to the clearance and re-development of land.
- (18) On all matters relating to development in the Town.
- (19) On all matters relating to conservation within the Town.
- (20) On all applications for the registration of flats under the provisions of the Housing [Flats] Regulations.

## **SCHEDULE D**

### HOUSING AND PROPERTY

It shall be the duty of the Lead Member for Housing and Property, subject to the provisions of these Standing Orders and of any amendments thereto, to advise and inform the Board with regard to the following matters:-

- (1) The supervision and maintenance of all the houses, shops, garages and workshops owned by the Board, including the Town Hall and Library, and any other buildings owned by the Board.
- (2) The letting of houses, shops, garages and workshops to suitable persons in accordance with the relevant Acts of Tynwald as may be in force from time to time and in accordance with the current policy of the Board.
- (3) The provision and supervision of public conveniences.
- (4) All matters coming within the provisions of the Housing Acts.

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# **RAMSEY TOWN COMMISSIONERS**

## **STANDING ORDERS ON THE MAKING OF CONTRACTS**

In exercise of the powers conferred on the Ramsey Town Commissioners by Section 27(3) of the Local Government Act, 1955, and of all other powers enabling it in that behalf, the following Standing Orders are hereby made:-

### **PART 1 - GENERAL**

#### APPLICATION

1. These Standing Orders shall apply to the making of contracts by the Board, or on its behalf, for the supply of goods or materials or for the execution of works.

#### INVITATION OF TENDERS

2.
  - (1) Subject to the provisions of paragraph (3) and Standing Order 3 below, before seeking to make any contract for the supply of goods or services the Board shall cause appropriate public notice to be placed in a newspaper circulating in the Island and/or a trade journal giving not less than 14 days' notice of the intended contract and inviting tenders therefore by a fixed date and time.
  - (2) In the case of a contract for capital works (see Standing Order 12 of these Standing Orders), notice to invite any contractor interested in tendering for the work to submit his name to the authority shall be given by notification of such to the Isle of Man Employers Federation and the Board may then proceed to request tenders from contractors selected from the list of those responding to the notice.
  - (3) The Board may, by resolution, exempt any contract from the provisions of paragraph (1) where the authority is satisfied that the exemption is justified by special circumstances.
3. Notwithstanding the provisions of Standing Order 2(1) above:-
  - (a) Tenders for a contract for the execution of works estimated to cost between £10,000 and £25,000 may be sought from not fewer than three Registered\* Contractors without public notice inviting tenders.
  - (b) A contract for emergency works or a contract estimated to cost less than £10,000 may be sought or negotiated directly with a Registered\* Contractor, except that the circumstances of any emergency contract exceeding £3,000 in cost shall be reported to the Board.

- \* Included on the Manx Accredited Construction Contractors List (MACCS) where applicable.

## TENDERS

4. Tenders shall be required to be forwarded to the Town Clerk and Chief Executive in plain envelopes marked "TENDER". Any tender received after the date and time fixed for receipt shall not be considered.
5. Tenders shall be opened after the fixed date and time for receipt at a time set by the Town Clerk in the presence of the Chairman or Vice-Chairman or an appropriate Lead Member of the Board.
6. Where the Board 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 Board makes that decision.
7. Where the Board decides to reject a tender, the reason for such rejection shall be specified in the minutes of the meeting at which the Board makes that decision.

## CONTRACTS

8. All written contracts must provide for damages for default by the contractor and for possible cancellation in the case of bribery.
9. All written contracts must in all respects be construed and operate as Isle of Man contracts and shall be interpreted in accordance with Isle of Man Law.
10. Payments on account to contractors shall be made on a certificate issued by an authorised officer of the Board which shall show the total amount of the contract, the value of the work executed to date, and the value of materials.
11. Every significant variation on a contract for the execution of works shall be authorised in writing by an authorised officer of the Board. Variations which will result in the amount of the accepted tender being exceeded shall, as soon as possible, be reported to the Board and, except where unavoidable in the Board's interest, no expenditure shall be incurred in respect of such variations without the approval of the Board.

## **PART II - CAPITAL SCHEMES**

### APPLICATION

12. 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 a borrowing petition to the Department of Infrastructure or the Department of Social Care.

#### PRE-PETITIONING PROCEDURES

13. Pre-petitioning procedures recommended by the Department of Infrastructure or the Department of Social Care must be observed.

#### CONTRACTS

14. An appropriate standard form building or engineering contract must be used and every clause completed or deleted as applicable.
15. Where the contract provides for increases in the cost of labour and materials, a schedule of the price of labour, materials and goods must be completed. The contract must state if this schedule is not completed fluctuations will not be allowed.
16. Provisional sums should be kept to a minimum and wherever reasonably possible, all items should be written into the specification.

#### ADDITIONS AND VARIATIONS

17. Any significant additions and variations to the contract must be approved and minuted by the Board and written instructions given to the Board's Architect / Supervising Professional for the project.
18. Minutes of progress and/or site meetings must be formally recorded and presented to the Board by the Architect / Supervising Officer.

### **PART III - SUPPLEMENTAL**

VARIATION AND REVOCATION OF STANDING ORDERS

19. 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 Board.

STANDING ORDERS TO BE GIVEN TO MEMBERS

20. A copy of these Standing Orders shall be given to each member of the Board by the Town Clerk upon delivery to him of the member's Declaration of Acceptance of Office on the member being first elected to the Board.

**Given under the Common Seal of the Ramsey Town  
Commissioners at a meeting of the Board held this  
21<sup>st</sup> day of January, 2015.**

**Captain N. H. Malpass, F.N.I., J.P.,  
Chairman.**

**T. P. Whiteway,  
Town Clerk & Chief Executive.**



# RAMSEY TOWN COMMISSIONERS

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