



Castletown Town Commissioners  
Standing Orders

Adopted by the Castletown Town Commissioners  
at a meeting held on 21<sup>st</sup> June 2021

## STANDING ORDERS FOR THE REGULATION OF THE PROCEEDINGS OF THE AUTHORITY

### Interpretation

‘Act’ means the Local Government Act 1985;

‘Agenda’ means the list of matters to be acted or voted upon at a meeting of the Authority;

‘Annual Statutory Meeting’ means a meeting convened in accordance with the Act;

‘Authority’ means the Castletown Town Commissioners;

‘Business Days’ means every day except weekends and Public Holidays;

‘The Clerk’ means the person appointed from time to time as the Town Clerk of the Authority;

‘The Chairman’ means the person appointed from time to time as the Chairman of the Authority;

‘Committee’ means a committee appointed by the Authority under section 17 of the Act, with the purpose of discharging one or more function of the Authority;

‘Member(s)’ shall mean a councillor or commissioner of the Authority;

‘Ordinary Meeting’ means a meeting convened in accordance with Standing Order 1(2);

‘Public Holiday’ means all public and bank holidays in the Isle of Man;

‘Staff’ means any member of staff of the Authority from time to time;  
and

‘Standing Committee’ means a permanent Committee appointed by the Authority in accordance with Standing Order 31(1).

## **1. Meetings of the Authority**

(1) The Annual Statutory Meeting of the Authority shall be held on such day in the month of May as the Chairman and Clerk may decide.

(2) In addition to the Annual Statutory Meeting of the Authority and any meetings convened by the Chairman, by the Clerk or by Members, Ordinary Meetings for the transaction of general business shall be held in each year on the first Monday of each month, and when necessary on the third Monday unless determined otherwise by the Authority (subject to Public Holidays).

(3) At each Ordinary Meeting, there will be a meeting which may be attended by members of the public. Immediately after the completion of the Ordinary Meeting of the Authority as set out on the Agenda there shall be a twenty (20) minute session to permit the public to raise matters relating to Castletown directly with the Authority. The public meeting shall be followed by a private meeting of the Authority at which matters of a confidential, sensitive, or data protected nature will be discussed.

(4) The Annual Statutory Meeting and all the other meetings of the Authority shall, unless notice to the contrary be given by the Clerk, commence at 7.00pm.

(5) No meeting whether on its own or combined with other meetings being public meetings or private meetings, with representatives of other Authorities, Government or other persons, shall take more than three (3) hours.

(6) If the meeting has not concluded within three (3) hours, at the end of that period a Member may propose, subject to such motion being seconded, and subsequently approved by the Authority, that the meeting continue at an alternative time specified in the motion.

(7) The Agenda for a public meeting shall be displayed on the Authority's public notice board, and in such other prominent public place(s) as determined within the town.

(8) The Agenda for the public meeting shall, as required by 1(7) above, be displayed no later than the Friday before the said meeting.

## **2. Notice of meetings**

Notice of any meetings shall be sent by way of summons, three (3) Business Days prior to the holding of the meeting by the Clerk, to the Members of the Authority via their official Authority's e-mail address or to any other postal address that the Member(s) of the Authority have given written notice of to the Clerk for this purpose.

## **3. Election of the Chairman**

(1) The Chairman of the Authority shall be elected by the Authority at its Annual Statutory Meeting from among the Members.

(2) The election of the Chairman shall be the first business transacted at the Annual Statutory Meeting of the Authority.

(3) A person for the position of Chairman shall be nominated at the Annual Statutory Meeting by a Member and shall be seconded by a Member.

(4) If more than one person is nominated, and seconded for the position of Chairman, a ballot shall be held to elect the Chairman, and the candidate who receives the majority of votes of the Members present shall be elected as the Chairman.

(5) All Members present at the meeting shall vote.

(6) The term of office of the Chairman shall be one year, but he/she shall continue in office until his successor has accepted such office.

(7) The Chairman of the Authority, unless he/she resigns or becomes disqualified, may hold office until immediately after the election of the successor Chairman.

(8) Where a vacancy occurs under Standing Order 3(7) the Authority shall meet to elect a Chairman within one (1) calendar month.

(9) The Authority may at any time elect a Member to become the Vice-Chairman upon the terms set out in this Standing Order 3.

#### **4. Quorum**

(1) The quorum for meetings of the Authority at any meetings of the Authority or meetings of a Committee of the Authority shall be a majority of the total number of Members.

(2) If during any meeting of the Authority the Chairman, after counting the number of Members present declares that there is not a quorum present, the meeting shall stand adjourned and the 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 he does not fix a time, to the next Ordinary Meeting.

#### **5. Order of Business**

(1) Except as provided by paragraph (2) of this Standing Order 5, the order of business at every meeting of the Authority, shall be as follows:

- (a) in the event that both the Chairman and Vice-Chairman are absent the Clerk shall call the meeting to order and take nominations for a Member to Chair the meeting, which shall be decided by simple majority of the Members present;
- (b) to approve as a correct record and sign the minutes of the last meeting of the Authority and all Ordinary Meetings (if any) of the Authority;
- (c) to deal with any business expressly required by statute to be done;
- (d) to dispose of any matters arising from the approved minutes of prior meetings;
- (e) to receive and consider minutes, reports and any recommendations of any Committee or Member;

- (f) to receive and consider the Chairman's report;
  - (g) to answer any questions raised by Members under Standing Order 8;
  - (h) to receive, consider and approve, if appropriate, the monthly financial report from the Clerk;
  - (i) to consider motions from Members included on the Agenda in accordance with Standing Order 6; and
  - (j) to answer questions raised by any Members of the public attending the meeting.
- (2) Business falling under item (a), (b) or (d) of paragraph (1) of this Standing Order 5 shall not be displaced, but subject thereto the forgoing order of business may be varied:
- (a) by the Chairman at his/her discretion; or
  - (b) by a resolution duly moved and seconded and passed on a motion which shall be moved and put without discussion.

## **6. Notices of Motion**

- (1) Notice of every motion, shall be given in concise writing, signed by a Member and delivered, at least four (4) Business Days before the next meeting of the Authority at which the motion is to be considered, to the office of the Clerk, by whom it shall be dated, numbered in the order in which it is received and entered in a book which shall be open for inspection by every Member.
- (2) The Clerk shall set out in the summons for every meeting of the Authority all motions, of which notice has been duly given in the order in which they have been received, unless the Member giving such a notice intimated in writing, when giving it, that he/she proposes to move it at some later meeting or has since withdrawn it in writing.
- (3) If a motion thus set out in the summons be not moved either by the Member who gave notice thereof in writing to the Clerk, by electronic means, by telephone or by some other member on his/her behalf it shall, unless postponed by consent of the Authority be treated as withdrawn and shall not be moved.

(4) If a motion is not moved in accordance with Standing Order 6(3) above, then a Member may give notice of a new motion which may be the same as the motion that was not moved at the previous meeting and such motion shall be made in accordance with Standing Order 6(1).

(5) Every motion shall be relevant to some matter in relation to which the Authority has powers or duties or which may affect or affects the district.

## **7. Motions and Amendments**

(1) When a motion on the Agenda is moved and seconded, a Member may move an amendment to the motion

(2) A motion shall not be debated unless it is seconded.(3) In the event that a motion is not moved by the Member who gave notice of the motion, or by another Member appointed by the original Member to move the motion, then the motion shall not be debated.

(4) A Member may propose and move and debate an amendment, subject to such amendment being seconded, and such amendment shall only relate to the main motion.

(5) A Member may propose an amendment to a matter of any motion before the Authority refers such motion to a committee for consideration and report.

(6) In the event that there is a motion to move the matter to a Committee, the Member so moving shall indicate to which Committee of the Authority it shall be referred to, or the Member may propose the creation of a special committee, setting out the number of Members to make up the Committee and their reporting obligations

(7) If the creation of a special committee is approved to consider a matter referred to in Standing Order 7(6) the Authority shall elect Members to form the Committee.

(8) The Member moving a motion or an amendment shall be permitted to reply to their motion or amendment, before the matter is determined by the Authority.

(9) The Member moving a motion may give notice, in accordance with Standing Order 6, of the withdrawal of such motion from the Agenda, or immediately prior to the Member moving the motion, and without reason or debate, and no debate shall be permitted relating to the motion or the reason for its withdrawal.

(10) A motion withdrawn under Standing Order 7(9) may be resubmitted under Standing Order 6 at a future meeting of the Authority.

(11) Once a motion is under debate the Member moving a motion or amendment may seek the leave of the Authority to withdraw such motion or amendment.

(12) If a motion under Standing Order 7(11) is so determined by the Authority, then no further debate shall be permitted on the matter, subject to a new motion being raised as permitted under Standing Order 6.

(13) On a motion being put by a Member that 'the Authority do now proceed to the next business and that':

- (a) 'the question be now put'; or
- (b) 'the matter be adjourned'

with the Member so moving setting down a date until such matter is adjourned until, the Chairman shall if he/she believes that such a motion or adjournment shall not impinge on the rights of any Member to participate in the debate, put the question before the Authority forthwith for determination without debate.

(14) The following motions and amendments may be moved without notice:

- (a) authorising the sealing of documents;
- (b) suspending standing orders in accordance with Standing Order 38;
- (c) that the Authority sit in private; and



(d) that a Member named under Standing Order 13 be not further heard or do leave the meeting.

## 8. Questions

(1) A Member of the Authority may in written form ask the Chairman of the Authority a question relating to any matter falling within the responsibilities of the Authority.

(2) A Member of the Authority may in written form ask the Chairman of a Committee a question which falls within their sphere of responsibilities.

(3) All questions shall be set out in written form, signed and be deposited with the Clerk by no later than 5.00pm at least four (4) Business Days prior to the meeting at which the question(s) is to be asked.

(4) The Clerk shall put any written question(s) as received on the Agenda.

(5) The Chairman of the Authority, or Chairman of a Committee shall, subject to Standing Order 8(6), answer any question(s) in any of the following forms:

(a) direct oral answer;

(b) where the desired information is contained in a publication of the Authority, a reference to that publication; or

(c) where the reply to the question cannot conveniently be given orally, a written answer circulated to Members of the Authority.

(6) The Chairman of the Authority, or Chairman of a Committee may, if it is deemed by him/her not to be in the public interest, decline to answer a question.

(7) No oral question or comment by a Member shall be permitted.

(8) No question shall be permitted that relates to a matter set out on the said Agenda.

(9) A request to ask an urgent question may be put by a Member to the Authority, with the prior approval of the Chairman, and shall only be

asked if two thirds of the Members present at the meeting agree to the question being raised.

(10) No debate shall be permitted on whether a question shall be raised.

## **9. Questions from the public attending an Ordinary Meeting**

(1) The Agenda of every Ordinary Meeting shall provide an opportunity for any resident of Castletown to ask any relevant question(s) in accordance with Standing Order 9(2).

(2) Upon invitation by the Chairman, a resident of Castletown may, without notice, ask any question relating to a matter concerning any of the responsibilities of the Authority, or to any matter that may affect the town of Castletown or its residents.

(3) The Chairman, or if invited by the Chairman, a Member or the Clerk, shall respond appropriately to any question(s) put by the resident at the Ordinary Meeting.

(4) No debate shall be permitted at the Ordinary Meeting, in relation to any question asked by a resident.

(5) The decision of the Chairman in any matters covered by this Standing Order 9 shall be final.

(6) There shall be a time limit of twenty (20) minutes for questions permitted under this Standing Order 9.

## **10. Minutes**

(1) Meetings of the Authority, or of any meeting undertaken on behalf of the Authority or a Committee acting on behalf of the Authority shall have the Clerk, or in his absence an appropriate person appointed by the Chairman, present to ensure that minutes are taken for the noting or approval of the Authority.

(2) The minutes of all meetings to be considered by the Authority for approval shall be circulated with the Agenda of the meeting at which they are to be considered.

(3) At the end of every meeting, the Chairman shall sign and declare "*that the minutes of the meeting of the Authority held on [date] be approved as a correct record*".

(4) No discussion shall take place upon the minutes, except upon their accuracy and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is, then as soon as it has been disposed of, the Chairman shall sign and date the minutes.

(5) A copy of the current approved minutes shall be displayed for a period of at least one (1) month in a public area within the Town Hall/Civic Centre, and may also be displayed on an Authority's external public notice board within the town, and on the Authority's website ([www.castletown.gov.im](http://www.castletown.gov.im)).

(6) All signed and approved minutes of the Authority and any Committee shall be entered into the official minute book of the Authority, which shall be kept at the offices of the Authority by the Clerk.

## **11. Rules of debate**

(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 6 it shall, if required by the Chairman, be put into writing and handed to the Chairman to be read to the meeting before it is discussed or put to the meeting.

(2) A Member when seconding a motion or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later period of the debate.

(3) A Member when speaking shall address the Chairman.

(4) If two or more Members wish to speak, the Chairman shall decide the order of priority of speaking and whilst a member is speaking the other

Members shall remain silent unless raising a point of order or a personal explanation.

(5) A Member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order.

(6) No speech shall exceed five (5) minutes except by consent of the Authority.

(7) A Member who has spoken on any motion shall not speak again whilst it is the subject of debate, except;

- (a) to speak once on an amendment moved by another Member;
- (b) on a point of order; or
- (c) by way of personal explanation.

(8) A point of order shall relate only 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/she considers it has been broken. A personal explanation shall be confined to some material part of a former speech by his/her which may appear to have been misunderstood in the present debate.

(9) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

(10) Whenever the Chairman rises during a debate the Authority and any Member then speaking shall be silent.

## **12. Motions and Questions affecting employees of the Authority**

No motion or question shall be made or put at an Ordinary Meeting of the Authority, which affects or refers to an employee of the Authority.

### **13. Disorderly Conduct**

(1) If at a meeting any Member, in the opinion of the Chairman notified to the Authority, misconducts himself/herself by persistently disregarding the ruling of the Chairman, or by behaving irregularly, improperly, or offensively, or by willfully obstructing the business of the Authority, the Chairman or any other Member may move "*that the member named be not further heard*" and the motion if seconded shall be put and determined without discussion.

(2) If the Member named continues his/her misconduct after a motion under the foregoing paragraph has been carried the Chairman shall either:

(a) move "*that the member named do forthwith leave the meeting*" (in which case the motion shall be put and determined without seconding or discussion); or

(b) adjourn the meeting of the Authority for such period as the Chairman in his/her discretion shall consider expedient.

(3) In the event of general disturbance, which in the opinion of the Chairman renders the due and orderly dispatch of business impossible, the Chairman in addition to any other power vested in him/her may, without questions put adjourn the meeting of the Authority for such a period as the Chairman in his/her discretion shall consider expedient.

### **14. Disturbance by members of the public**

If a member of the public interrupts the proceedings at any meeting the Chairman shall warn him/her. If he/she continues the interruption the Chairman shall order his/her removal from the meeting. In case of general disturbance in any part of the allocated meeting room open to the public the Chairman shall order that part to be cleared.

## **15. Rescission of preceding resolution**

(1) No motion to rescind any resolution of the Authority passed within the previous six (6) months, and no motion or amendment rejected by the Authority within the previous six (6) months shall be proposed, unless such notice is set out on the Agenda in compliance with the provisions of Standing Order 6.

(2) A motion raised in accordance with Standing Order 15(1) and set out on the Agenda shall not be discussed unless two thirds of the Authority (five (5) Members) agree to such a motion being progressed, with such determination being made without amendment or debate.

(3) If the Authority agrees to the matter being discussed, then Standing Order 7 shall apply to the motion.

(4) This Standing Order 15 does not apply to a motion moved in pursuance of a report and recommendation(s) to the Authority.

## **16. Voting**

(1) The mode of voting at meetings of the Authority shall be by show of hands.

(2) Any Member may ask for a division and Members shall indicate orally their vote 'for' or 'against'.

(3) Every Member present shall be required to vote for or against each question raised.

(4) All decisions of the Authority shall be recorded in the minutes indicating the Members who voted 'for' and 'against' a motion or an amendment.

## **17. Voting on appointments**

(1) Nominations for appointments must be made by another Member.

(2) Where there are more than two (2) 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 (1) 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 (1) person.

(3) In the event of a tied vote the two (2) candidates nominated shall be asked and given the opportunity to withdraw from the election.

(4) If neither candidate wishes to withdraw from the election, the Chairman shall have a casting vote.

### **18. Record of attendances**

The Clerk shall record the Members present at a meeting of the Authority and shall also note in the minutes the time at which any Member leaves the meeting other than temporarily.

### **19. Pecuniary interest**

If any Member has any pecuniary interest direct or indirect within the meaning of Sections 11 and 12 of the Act (other than an indirect interest) described in Section 14 (4)-(6) thereof in any contract proposed contract or other matter, that member shall withdraw from the meeting while the proposed contract or other matter is under consideration by the Authority.

### **20. Interest of officers in contracts**

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 Act of a pecuniary interest in a contract.

## **21. Canvassing of and recommendations by Members**

(1) Canvassing of Members or any Committee directly or indirectly for any appointment under the Authority shall disqualify the candidate concerned for that appointment. The purport of this paragraph of this Standing Order shall be included in any form of application.

(2) A Member shall not solicit for any person any appointment under the Authority but this shall not preclude a Member from giving a written testimonial of a candidate's ability experience or character for submission to the Authority with an application for appointment.

## **22. Relatives of Members or officers**

(1) A candidate for any appointment under the Authority who knows that he/she is related to any Member or officer of the Authority shall when making the application disclose that relationship to the Clerk who shall make a record of such disclosure.

(2) 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.

(3) Every Member or officer of the Authority shall disclose to the Clerk any relationship known to him/her to exist between himself/herself and any person whom he/she knows is a candidate for an appointment under the Authority. The Clerk shall report to the Authority or to the appropriate Committee any such disclosure made to him/her.

(4) The purport of this Standing Order shall be included in any form of application.

(5) For the interpretation of this Standing Order; "officer" means any person employed by the Authority and such person shall be deemed to be related if they are husband, wife or partner, 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.

### **23. Filling new posts and vacancies**

(1) No new office shall be created, nor any person be employed in addition to the Authority's establishment except with the agreement of the Authority.

(2) All vacancies to be filled in established posts of the Authority (not being posts at a weekly wage), unless they are to be filled by promotion or transfer, shall be publicly advertised except where the Authority otherwise determines. Advertisement will in the first instance be made via the Authority's website, in a prominent public place within the Town Hall/Civic Centre by notice, and at the Job Centre.

(3) Provided that where within six (6) months of the filing of a vacancy, which has been publicly advertised, a similar vacancy occurs in an office in the appointment of the Authority, the Authority may appoint one of the former applicants.

### **24. Custody of Seal**

The Common Seal of the Authority shall be kept in a safe place in the custody of the Clerk and shall be secured by a lock, the keys of which shall be kept respectively by the Chairman and the Clerk.

### **25. Sealing of Documents**

(1) The Common Seal of the Authority shall not be affixed to any document unless the sealing has been authorised by a resolution of the Authority. A resolution of the Authority 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 matter, shall be 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: the Chairman or Vice- Chairman of the Authority, or in their absence another Member authorised by the Authority, and the Clerk, or in his absence an officer authorised by the Authority to act as 'Deputy' Clerk on behalf of the Authority.

## **26. Authentication of documents**

Where any document will be a necessary step in legal proceedings on behalf of the Authority it shall be signed by the Clerk unless any enactment otherwise requires or authorises such other person to act, or the Authority gives the necessary authority to some other person for the purpose of such proceedings.

## **27. Inspection of documents**

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

(2) A Member shall not knowingly inspect and shall not call for a copy of any document relating to a matter in which he/she is professionally interested, or in which he/she has directly or indirectly any pecuniary interest. This Standing Order shall not preclude the Clerk or the Advocate of the Authority 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) Any reports made or minutes kept by any Committee shall as soon as the Committee has concluded action on the matter to which such reports or minutes relate, be open for the inspection of any Member.

(4) Any reports made or minutes kept by any Committee shall as soon as the Committee has concluded action on the matter to which such reports or minutes relate be open at the Town Hall/Civic Centre of the Authority during normal office hours for the inspection of any member of the public, unless the contents contain personal or commercially sensitive data which would preclude their release.

## **28. Inspection of lands premises etc**

A Member shall not issue any order respecting any works which are being carried out by or on behalf of the Authority or claim by virtue of his/her membership of the Authority any right to inspect or to enter upon any lands or premises which the Authority have the power or duty to inspect or enter.

## **29. Appointment of Committees and Lead Members**

(1) The Authority shall at the Annual Statutory Meeting appoint such Committees or Lead Members as they are required to appoint by or under any statute, and may at any time appoint such other Committees or lead Members as are necessary to carry out the work of the Authority but subject to any statutory provision in that behalf.

(2) The Authority shall not appoint any member of a Committee so as to hold office later than the next Annual Statutory Meeting of the Authority.

(3) The Authority may at any time dissolve a Committee or alter its membership.

### **30. Proceedings of Committees to be confidential**

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

(2) Minutes of all Committees, or decisions of a Lead Member shall be kept and put before the Authority at an early date.

(3) All Committee meetings, or meetings of a Lead Member to discuss official business on behalf of the Authority shall require the attendance of the Clerk or an officer appointed by the Clerk to attend such a meeting.

### **31. Constitution of Committees**

(1) The following committees shall be Standing Committees of the Authority and the Authority shall appoint a Chairman and members, or a Lead Member, in accordance with Standing Order 32, for each of the following:

- (a) Full Board;
- (b) Housing and Maintenance;
- (c) Works Properties and Parks; and
- (d) Library.

(2) Except where otherwise provided by statute or a scheme made under statutory authority, the Chairman of the Authority shall be ex officio a member of every Standing Committee appointed by the Authority.

(3) The Authority may at any time form any Standing Committee in place of, or in addition to the Standing Committees set out in this Standing Order, and a record of their formation shall be kept.

(4) The Authority may at any time dissolve any of the Standing Committees set out in this Standing Order, or any other Standing Committee so established.

### **32. Election of Chairman of Committee or Lead Member**

(1) The Authority shall elect a Chairman of each Committee, or a Lead Member, who may serve in such capacity until the next Annual Statutory Meeting of the Authority.

(2) In the event of a vacancy occurring for the position of Chairman of a Committee, or a Lead Member, the Authority shall at an early date elect a new Chairman or Lead Member.

(3) In the absence from a meeting of the Chairman of the Committee, or a Lead Member if elected, a chairman or lead member for that meeting may be appointed.

### **33. Membership of a Standing Committee or Committee**

(1) Except when the Authority sits as a Committee, no Standing Committee or other Committee shall consist of more than three (3) members, which number shall include the Chairman of the Committee.

(2) The Authority shall elect from their membership the Chairman and members of a Standing Committee or other Committee.

(3) This Standing Order does not apply to the provisions of Standing Order 36.

### **34. Meetings of Committees**

(1) The Chairman of the Authority, the Chairman of a particular Committee or the Clerk may call a meeting of the Committee at any time.

(2) A meeting of a Committee shall also be called on the requisition of at least two (2) members of the Committee delivered in writing to the Clerk.

(3) The summons to the meeting shall set out the business to be considered thereat and no business other than that set out in the summons shall be considered at that meeting.

### **35. Voting in Committees and sub-committees**

(1) Voting at a meeting of a Standing Committee or other Committee shall be by show of hands, and every committee member present at the meeting shall vote, and their vote shall be recorded in the minutes.

(2) The Chairman of the Authority being ex-officio shall not be entitled to vote.

### **36. Deputations**

(1) In the event of any deputation desiring to give expression to their views upon any question under the control of the Authority, such deputation shall give notice in writing of their desire to the Clerk at least three (3) Business Days prior to an Ordinary Meeting of the Authority and at such meeting of the Authority an ad-hoc Committee shall be appointed to receive the deputation at a time date and place convenient to the ad-hoc Committee.

(2) The ad-hoc Committee shall consist of three (3) members and the Chairman of the Authority shall have the right to determine the number of persons who are to be received at the deputation.

(3) So soon as may be practicable, and no longer than thirty (30) Business Days, after receiving and hearing the deputation the ad-hoc Committee shall submit a full written report to the Authority, with or without recommendations for consideration by the Authority.

(4) The report of the ad-hoc Committee, and any conclusions and decisions of the Authority relating to the report shall be published in full and without amendment, and displayed in a prominent public place within the Town Hall/Civic Centre and may also be displayed on an

Authority's external public notice board within the town, and on the Authority's website ([www.castletown.gov.im](http://www.castletown.gov.im)).

(5) The Lead Member of the deputation shall be provided, free of any charge, a copy of the ad-hoc Committee's report prior to its publication.

(6) Minutes of any ad-hoc Committee meeting shall be taken by the Clerk or an officer of the Authority so appointed to take such minutes.

### **37. Standing Orders to apply to Committees**

The Standing Order of the Authority headed "Rules of debate" (except the part which relates to speaking more than once) and the Standing Order headed "Interest of members in contracts and other matters" shall apply to Committee meetings.

### **38. Suspension of standing orders**

(1) Subject to paragraph (2) of this Standing Order 38 and with the consent of a two thirds majority of the Members present, any of the preceding Standing Orders may be suspended so far as regards any business at the meeting where its suspension is moved.

(2) A motion to suspend standing orders shall not be moved without notice (i.e. under Standing Order 6) unless there shall be present at least two thirds of the whole number of the Members of the Authority.

(3) A motion to suspend Standing Orders shall only carry if at least five  
(5) Members support the motion to suspend Standing Orders.

(4) A motion to suspend Standing Orders must be seconded before it can be debated and determined.

### **39. Standing Orders to be given to members**

A copy of the current Standing Orders shall be given to each Member of the Authority by the Clerk upon delivery to him of the Member's declaration of acceptance of office on the Member being first elected to the Authority. A Member may if necessary request an additional copy of the current Standing Orders.

### **40. Interpretation of standing orders**

The ruling of the Chairman as to the construction or application of any of these Standing Orders shall be final, and shall not be challenged at any meeting of the Authority.



## STANDING ORDERS ON THE MAKING OF CONTRACTS

### PART I - 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 required to be made by Section 27(3) of the Act.

#### **2. Invitation of tenders**

(1) Subject to the provisions of paragraph (2) and (3) of this Standing Order and Standing Order 3 before seeking to make any contract the Authority shall cause appropriate public notices to be placed in a newspaper circulating in the Island and/or the Authority's website and/or a trade journal (if any) giving not less than fourteen (14) Business Days' notice of the intended contract and inviting tenders therefore by a fixed date and time (Section 27(3)(a) of the Act).

(2) In the case of a contract for capital works (see Standing Order 10) the public notice given under paragraph (1) of this Standing Order 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.

(3) The Authority may, by resolution, exempt any contract from the provisions of paragraph (1) of this Standing Order 2 where the Authority is satisfied that the exemption is justified by special circumstances (Section 27(3)(c) of the Act).

#### **3. Exceptions**

Notwithstanding the provisions of Standing Order 2(1), and in accordance with the Act:

(a) Tenders for a contract for the execution of works estimated to cost between £5,000.00 and £10,000.00 may be sought from not fewer than three (3) registered contractors without public notice inviting tenders.

(b) A contract for emergency works or a contract estimated to cost less than £5,000.00 may be sought or negotiated directly with a registered contractor, except that the circumstances of any emergency contract exceeding £5,000.00 in cost shall be reported to the Authority.

For this purpose “registered” means registered with the Isle of Man Employers Federation.

#### **4. Contents of contracts**

All written contracts must provide for damages for default by the contractor and for possible cancellation in the case of bribery.

#### **5. Tenders**

(1) 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 opened or considered.

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

(3) Where the Authority decides to accept a tender other than the lowest, the reasons for such action must be specified in the minutes of the meeting at which the Authority makes that decision.

#### **6. Payments on account**

Payment 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 work executed to date, retention money, amounts paid to date, and amounts now certified.

## **7. Variations of contract**

Every significant variation on a contract for the execution of works must be authorised in writing by the Authority (or an authorised officer of the Authority who shall report at an early date to 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.

## **PART II - CAPITAL SCHEMES**

### **8. 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 a borrowing petition to the Department of Infrastructure or to the Department of Social Care.

### **9. Pre-petition procedures**

The Department of Infrastructure and the Department of Social Care's recommended pre-petition procedures must be observed.

### **10. Contracts**

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

(2) Where the contract provides for increase 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.

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

### **11. Additions and Variations**

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

## **PART III – SUPPLEMENTAL**

### **12. 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 Authority, when the matter shall be debated and determined.

## **PROTOCOL FOR THE RELATIONSHIP BETWEEN MEMBERS AND STAFF**

### **1. How Members and Staff should relate to each other**

(1) Members and Staff should:

- (a) respect each other's point of view and not personalise issues;
- (b) strive to welcome new Members or Staff and help them to understand the Authority, their work and procedures; and
- (c) ensure that the "Guidelines on behaviour at meetings and in the workplace" are adhered to, to ensure meetings are friendly and efficient, and encourage a team approach.

(2) It is the responsibility of all Members and Staff to:

- (a) ensure that an atmosphere is encouraged where fellow Members and Staff feel they are valued, and encourage and assist each other to work to the best of their abilities;
- (b) not comment on Staff performance outside of the agreed procedures, and not challenge Members or Staff about concerns outside of the agreed procedures, and to raise questions and concerns about work in a sensitive and respectful manner; and
- (c) be aware of Staff commitments and workload and to be aware of and sensitive to Staff welfare and development.

### **2. Guidelines on behaviour at meetings and in the workplace**

(1) Members and Staff should adhere to Standing Orders where applicable.

(2) Concerns about Staff performance should be dealt with under procedures and not discussed outside of these.

(3) Concerns about the working of the Authority should not be discussed outside of the Authority.

(4) It is not acceptable behaviour for Members or Staff to:

- (a) raise their voice or shout at another person;

- (b) act in an aggressive or offensive manner verbally, or physically threaten or attack an individual, or cause disruption in meetings;
- (c) bring the Authority into disrepute; or
- (d) walk out of meetings in the middle of a discussion.

(5) It is the responsibility of everyone to assist in creating an atmosphere of confidence, respect and trust both within formal meetings, and within the workplace.