

POOLE CHARTER TRUSTEES



STANDING ORDERS

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1 INTRODUCTION

- (a) These Standing Orders are to be read in conjunction with the relevant sections of the Local Government Act 1972, with particular reference to the remit of Charter Trustees. These functions are limited to:
- Appointing a Mayor, Deputy Mayor, Sheriff and other honorary roles;
 - Ensuring the safe custody of the Charter of Incorporation; and
 - Acquiring, holding, administering, maintaining and improving historic property of a ceremonial nature including by arranging events to promote awareness of such historic property, the Charter Trustees, and the Mayoralty; and
 - Dealing with any business permitted by law.
- (b) Charter Trustees are reminded that their membership of the Charter Trustee body is based upon them being members of Bournemouth, Christchurch and Poole Council, representing the relevant wards as defined in The Local Government (Structural and Boundary Changes) (Supplementary Provision and Miscellaneous Amendments) Order 2019 (S.I. 2019/615). The Councillors Code of Conduct, therefore, applies to Charter Trustee business.
- (c) These Standing Orders are minimal, and it is assumed throughout that Charter Trustees will be guided by their knowledge of the conduct of public affairs.

2 MEETINGS OF THE CHARTER TRUSTEES

- (a) The Annual General Meeting of the Charter Trustees shall be held within 21 days of the Annual Meeting of Bournemouth, Christchurch and Poole Council. The meeting shall be held at such a time and place as the Charter Trustees may determine.
- (b) Including the Annual General Meeting, no less than two meetings shall be held each year to conduct the general business of the Charter Trustees. The dates of such meetings to be determined by the Mayor.
- (c) The Mayor may call extra meetings if they consider this necessary. Except in an emergency, 5 clear days' notice will be given.

3 ELECTION OF CHARTER MAYOR, DEPUTY CHARTER MAYOR AND SHERIFF

- (a) At the Annual General Meeting, the Charter Trustees shall elect a Mayor, Deputy Mayor and Sheriff from within the Charter Trustee body.
- (b) Should any office referred to in (a) above become vacant either by death or resignation, under the terms of the Local Government Act of 1972, an election must be held not later than the next ordinary meeting of the Charter Trustees. The procedure to be followed is that laid down for an ordinary election at an Annual General Meeting.

4 APPOINTMENT OF OFFICERS

The officer arrangements for the Charter Trustees in place at the adoption of these Standing Orders and which will continue until varied in accordance with the Standing Orders are as follows:

- (a) Officers shall be appointed by Bournemouth, Christchurch and Poole Council to cover the secretarial and financial requirements of the Charter Trustees pursuant to a Service Level Agreement to be agreed between BCP Council and the Charter Trustees and reviewed on an annual basis. Such officers to hold qualifications suitable to the role.
- (b) A Mace-bearer(s) shall be appointed by Bournemouth, Christchurch and Poole Council to act as Mayor's attendant and driver.
- (c) Where an officer has not been appointed by Bournemouth, Christchurch and Poole Council to fulfil responsibilities referred to in (a) or (b) above (the Responsibilities) under the Service Level Agreement, or where services are required beyond the specification in relation to the Responsibilities set out in the Service Level Agreement and in the event that Bournemouth, Christchurch and Poole Council are not able to fulfill the Responsibilities or other services or the Charter Trustees believe such services would be better or more efficiently supplied by an alternative supplier, the Charter Trustees may, if they think fit, appoint and fix the remuneration of some suitably qualified person or organisation, to carry out the Responsibilities or other services until the Charter Trustees are satisfied that the Responsibilities or services can be better or more efficiently fulfilled by a suitable individual or where the services beyond the specification are no longer required and can be supplied to the required level by BCP Council and an amendment incorporating them is made to the Service Level Agreement or the requirement for the performance of such Responsibilities or services ceases before such amendment.
- (d) The cost of the officers in paragraphs (a) to (c) above shall be recharged in accordance with the Service Level Agreement and shall not exceed the annual budget of the Charter Trustees without approval from the Budget Signatories or the Charter Trustees.

At any point, the Charter Trustees may decide, through resolution, to make alternative arrangements for their support and will give six months' notice to BCP Council to end or amend the current arrangements.

The Charter Trustees may then select officers from other sources to cover the Clerk, secretarial, mace bearing, financial and other support requirements of the Charter Trustees from the amendment or termination of the arrangement with BCP Council. Such new arrangements shall include a Clerk to the Charter Trustees who will act as their lead officer.

Such officers should hold qualifications or experience suitable to the role and

may be appointed from within the principal authority or elsewhere. The level of services to be provided will be encapsulated in a Service Level Agreement or contract to be negotiated between the Charter Trustees and the officer(s) or appointing body, setting out the terms of any agreement, services to be provided, and arrangements for remuneration or recharging.

5 APPOINTMENT OF LOCAL OFFICERS OF DIGNITY

The following local officers of dignity shall be appointed by the Charter Trustees together with such others as they may decide from time to time:

- (a) **Ceremonial Advisor to the Charter Trustees.** A Ceremonial Advisor to the Charter Trustees may be appointed as an honorary position to supervise the arrangements for all ceremonial occasions and ensure that these are conducted in accordance with custom and usage. The Ceremonial Advisor may attend Charter Trustee meetings and speak, if invited, but not vote. The role of Ceremonial Advisor shall be distinct from that of any Clerk appointed by the Charter Trustees for the management of their general business. Candidates for the role will be recommended to the Charter Trustees by the Civic Working Group.
- (b) **Mayor's Chaplain.** The Mayor may, if they so wish, appoint a chaplain or moral guide, according to their own personal beliefs.

6 ORDER OF PRECEDENCE IN PROCESSION

This shall be:

Sheriff of Poole and the Sheriff's Companion
Maces – borne by the Macebearers
Mayor and Mayor's Companion
Clerk to the Charter Trustees
Deputy Mayor and Deputy Mayor's Companion (* see note below)
Honorary Freeman and Freewomen (in order of appointment)
Ceremonial Advisor
Mayor's Chaplain / Moral Guide
Charter Trustees (in order of length of service)

*Except when deputising for the Mayor, when he/she assumes the Mayor's position.

7 CHAIR

- (a) Meetings shall be chaired by the Mayor, or in their absence, the Deputy Mayor.

- (b) If both the Mayor and the Deputy Mayor are absent, the Charter Trustees shall elect one of their number as Chair (subject to there being a quorum present.)
- (c) If an elected Chair is chairing the meeting, and either the Charter Mayor or the Deputy Charter Mayor arrives, the Charter Mayor or Deputy Charter Mayor shall take the chair AFTER the completion of the item under discussion. A similar procedure will occur if the Charter Mayor arrives when the Deputy Charter Mayor is in the chair.

8 ATTENDANCE

Where a Clerk and/or Financial Officer are appointed pursuant to 4 above:

- (a) The Clerk to the Charter Trustees will attend ALL meetings (or, in the event the Clerk is not available or does not arrive on time, a substitute appointed by the Charter Trustees at the start of the meeting).
- (a) The Financial Officer will attend budget meetings and any other meetings where their attendance is required.

9 QUORUM

- (a) The quorum shall be at least one-third of the whole number of Charter Trustees.
- (b) If, after a meeting has commenced, Charter Trustees leave and the total number of members drops below the quorum, the meeting shall be abandoned as inquorate.
- (c) The remaining business will be transferred to the next ordinary Charter Trustees' meeting, and be taken immediately after the minutes, or to a time fixed by the Mayor at the time the meeting is adjourned.

2 CESSATION OF OFFICE/REMOVAL OF TRUSTEES

- (a) Subject to (b) below, each Charter Trustee shall hold office as a Charter Trustee until the next election to the relevant council or such time as that person ceases to be a councillor, whichever is the sooner.
- (b) Charter Trustees may remove from office a Charter Trustee if, in their opinion, that Councillor has, without sufficient cause, failed to attend two or more consecutive meetings of theirs.

10 ORDER OF BUSINESS AT ANNUAL GENERAL MEETING

- (a) Election of Mayor and acknowledgment of any Companion;
- (b) Election of Deputy Mayor and acknowledgment of any Companion;
- (c) Election of the Sheriff of Poole and acknowledgment of any Companion;

- (d) Appointment of the Clerk;
- (e) Appointment of the Ceremonial Advisor (optional);
- (f) Appointment of a Chaplain/Moral Guide (optional)
- (g) Appointment of one representative and a substitute to the Association of Charter Trustees.
- (h) Appointment of budget signatories.
- (i) Agree a Calendar of Meetings.
- (j) Any other business deemed necessary by the Clerk to the Charter Trustees

11 ORDER OF BUSINESS AT OTHER MEETINGS

- (a) To appoint a Chair if the Mayor and Deputy Mayor are absent.
- (b) Declarations of Interest to be completed, where appropriate.
- (c) To approve, accept and sign as a true record the Minutes from the previous meeting.
- (d) To deal with any matters arising from the Minutes.
- (e) To deal with any matters outstanding from a previous meeting deemed inquorate.
- (f) To receive the Mayor's Report.
- (g) To receive and consider reports, minutes and recommendations from other Committees (where appointed).
- (h) To receive and consider other reports.
- (i) Consideration of Ceremonial Advisor prior to appointment at AGM. (CWG to consider and candidates and recommend appointment).
- (j) To consider any other business as previously advised to the Clerk to the Charter Trustees.

12 SPECIAL MEETINGS

Only those items for which the meeting was called shall be discussed. (i.e., no matters from previous minutes other than in respect of errors or misleading statements in those minutes).

13 CONDUCT OF A MEETING

- (a) The Clerk to the Charter Trustees shall set out in the summons (agenda) for every Meeting, notice of all motions received by letter or email delivered by 12 noon seven clear working days before the meeting of the Charter Trustees.
- (b) Minutes will only be discussed as to accuracy. Any question raised pertaining to their accuracy shall be raised by motion. If no such question is raised, or if it is raised, then as soon as it has been disposed of, the Mayor

shall sign the Minutes.

- (c) Charter Trustees shall not speak for a second time on the same subject until all Charter Trustees who wish to, have spoken except:
 - 1. to make a point of order or give an explanation
 - 2. to move to the next business
 - 3. to move that a vote be taken.
- (d) A Charter Trustee when speaking shall address the Mayor (or Chair). If two or more Charter Trustees indicate, the Mayor (or Chair) shall call on one to speak; the other or others shall be invited to speak later. While a Charter Trustee is speaking, the other Charter Trustees shall remain silent, unless indicating to a point of order or in personal explanation. All requests to speak shall be through the Chair.
- (e) Whenever the Mayor (or Chair) calls for order during a debate, a Charter Trustee then speaking shall cease speaking and the Charter Trustees will be silent.
- (f) The Mayor (or Chair) may call upon any Officer of the Charter Trustees to explain or advise upon any point under discussion or such Officer may speak with the permission of the Mayor to explain any point about which they consider a doubt exists.
- (g) On any motion being moved, the Mayor (or Chair) will ask for a seconder.
- (h) A motion may be moved when the Mayor (or Chair) announces the item to be discussed. If no motion is moved, the meeting moves to discussion. The Mayor (or Chair) may, at any time, ask an officer to explain or advise on the matter under discussion.
- (i) Voting will be by a show of hands with the Mayor/Chair having a casting vote. On the requisition of any Charter Trustee the voting on any question shall be recorded so as to show whether each Charter Trustee present and voting gave their vote for, against or abstained.

14 MOTIONS AFFECTING MEMBERS OF STAFF

If any matter arises at a meeting of the Charter Trustees (or a 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 Charter Trustees, such question shall not be the subject of discussion until the Charter Trustees or Committee, as the case may be, has moved a motion to exclude the public under the Public Bodies (Admission to Meetings) Act 1960, Section 1[2].

15 DISORDERLY CONDUCT

- (a) If at a meeting any Charter trustee, in the opinion of the Mayor or Chair, notified to said meeting, misconducts them self by persistently disregarding the rule of the Chair, or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Charter Trustees, the Mayor, Chair or any other Charter Trustee, may move "That the Charter Trustee

named be not further heard”, and the motion, if seconded, shall be put and determined without discussion.

- (b) If the Charter Trustee named shall continue his misconduct after a motion under the foregoing paragraph has been carried, the Mayor or Chair shall:
 - (1) move “That the Charter Trustee named do leave the Meeting (in which case the motion shall be put and determined without seconding or discussion);
 - (2) and may adjourn the Meeting of the Charter Trustees for such period as they, in their discretion, shall consider expedient.

16 VOTING ON APPOINTMENTS

- a) Where there are more than two persons nominated for any position to be filled by the Charter Trustees, and of the votes given there is not a majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.
- b) Where there are multiple positions to be filled by Charter Trustees in a sub-committee or working group but subject to a maximum number, and more Charter Trustees are nominated than positions available, a single vote shall be taken and the Charter Trustees with the greatest number of votes shall be appointed and where there is a tie for the last positions, lots shall be drawn.

17 RECORD OF ATTENDANCES

Every Charter Trustee attending a Meeting of the Charter Trustees shall have their attendance formally recorded.

18 RELATIVES OF CHARTER TRUSTEES OR OFFICERS

- (a) A candidate for any appointment under the Charter Trustees who knows that they are related to any Charter Trustee or Officer of the Charter Trustees, shall when making application, disclose that relationship to the Clerk to the Charter Trustees. A candidate who fails to disclose such a relationship shall be disqualified from the appointment, and if appointed shall be liable to dismissal without notice. Every Charter Trustee and Officer of the Charter Trustees shall disclose to the Clerk to the Charter Trustees any relationship known to them to exist between them and any person whom they know is a candidate for an appointment under the Charter Trustees. The Clerk to the Charter Trustees shall report to the Charter Trustees or the appropriate Committee any such disclosure made to them.
- (b) For the purpose of this Standing Order, persons shall be deemed to be related if they are married/in a civil partnership or living together or if there is any familial relationship to either partner.

19 AUTHENTICATION OF DOCUMENTS

- (a) Where any document will be a necessary step in legal proceedings on behalf of the Charter Trustees, it shall, unless any enactment otherwise requires or authorises, or the Charter Trustees give the necessary authority to some other person for the purpose of such proceedings, be signed by the Clerk to the Charter Trustees.
- (b) Charter Trustee minutes shall be available for inspection by the Charter Trustees at any time.

20 APPOINTMENTS OF SUB-COMMITTEES / WORKING GROUPS

- (a) The Charter Trustees may, at any time, appoint such committees and working groups as they may deem necessary to carry out the work of the Charter Trustees, including disciplinary and grievance panels, but, subject to any statutory provision in that behalf:
 - (1) Shall not appoint any member of a committee or working group so as to hold office later than the next Annual General Meeting of the Charter Trustees.
 - (2) May at any time dissolve a committee or working group or alter its membership.
- (b) Every committee and working group shall, at its first meeting before proceeding to any other business, elect a Chair for that year. In the absence from a Meeting of the Chair, a Chair for THAT meeting shall be appointed.
- (c) Except where authorised by a statute or ordered by the Charter Trustees business shall not be transacted at a meeting of any committee or working group unless at least one third of the whole number of the committee or working group is present.
- (d) Provided that in no case shall the quorum of a committee or working group be less than three.
- (e) A Charter Trustee who has moved a motion that has been referred to any committee or working group shall have notice of the meeting of the committee or working group at which it is proposed to consider the motion. They shall have the right to attend the meeting and if they attend shall have an opportunity of explaining the Motion.

21 ATTENDANCE OF CHARTER TRUSTEES AT COMMITTEE AND WORKING GROUP MEETINGS

Any Charter Trustee may be present and take part in any meeting of a committee or working group notwithstanding that they are not a member of such committee or working group but they will not be permitted to vote.

22 AMENDMENTS TO 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 Charter Trustees.

Charter Trustees are not empowered to amend Standing Orders in a way which seeks to carve out additional powers/duties which are not permitted by law.

23 SUSPENSION OF STANDING ORDERS

Any of the preceding Standing Orders may be suspended so far as regards any business of the meeting where its suspension is moved. The Standing Order or Orders to be suspended shall be specified.

Charter Trustees are not empowered to suspend Standing Orders in a way which seeks to carve out additional powers/duties which are not permitted by law.

24 INTERPRETATION OF STANDING ORDERS

The ruling of the Mayor or Chair as to the constructions or application of any of the Standing Orders or as to any proceedings of the Charter Trustees, shall not be challenged at any Meeting of the Charter Trustees. Provided always that nothing herein shall prejudice statutory provisions.

25 STANDING ORDERS TO BE GIVEN TO CHARTER TRUSTEES

An electronic copy of these Standing Orders, and of such statutory provisions as regulate the proceedings and business of the Charter Trustees, shall be provided to any Charter Trustee by the Clerk to Charter Trustees upon request.