

CHAPTER 1: Standing Orders

The Standing Orders for the NWIFCA include provisions required under the Marine and Coastal Access Act 2009, the North Western Inshore Fisheries and Conservation Order 2010 and the Local Government Act 1972 as well as provisions adopted by the Authority.

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STANDING ORDERS

The following Standing Orders were approved by resolution on 12th June 2015 and supersede all previous Standing Orders.

Section 1: Reviews to Standing Orders

Variation and Revocation of Standing Orders

- 1.1 Any motion to add to, vary or revoke these Standing Orders shall when proposed and seconded stand adjourned without discussion until the next ordinary meeting of the Authority.

Suspension of Standing Orders

- 1.2. (a) Subject to paragraph (b) of this Standing Order, any of the Standing Orders may be suspended so far as regards any business at the meeting where its suspension is moved.
- (b) A motion to suspend Standing Orders shall not be moved without notice unless there shall be present at least one-half of the whole number of the Members of the Authority or the Committee as appropriate.

Standing Orders to be given to Members

- 1.3 Printed copies of these Standing Orders, and of such Statutory Provisions as regulate the proceedings and business of the Authority shall be given to each Member of the Authority on their appointment by the Chief Executive.

Interpretation of Standing Orders

- 1.4. The ruling of the Chair as to the construction or application of any of these Standing Orders, or as to any proceedings of the Authority shall not be challenged at any meeting of the Authority.

Section 2: Record of Attendances

- 2.1. (a) Every member of the Authority attending a meeting of the Authority, or of any of its Committees or Working Party of which he is a member, shall sign his name in the attendance book or sheet provided for that purpose.
- (b) Any Local Authority Member of the Authority who is unable to attend a meeting of the Authority may delegate one nominated Officer from their Local Authority who is familiar with the work of the Authority, to attend on his behalf. The Officer may speak in the meeting and will be entitled to vote. The Clerk to be informed of any change at least 5 working days in advance of the meeting.
- (c) Any Member who represents the Marine Management Organisation, Environment Agency or Natural England on the Authority who is unable to attend a meeting of the Authority may delegate one nominated Officer from their organisation to attend on their behalf who may speak at the meeting and will also be entitled to vote. The Clerk to be informed of any change at least 5 working days in advance of the meeting.

Section 3: Election of Chairman and Vice-Chairman **at the AGM**

- 3.1. (a) The Annual General Meeting is the first meeting of the Authority after 1 April each year.

- (b) The Chairman and Vice Chairman of the Authority shall be appointed by the Members at each AGM. The CEO will invite nominations from all members in advance of the AGM and inform members of nominations 7 days in advance of the meeting.
- (c) The Chairman shall, unless he resigns or becomes disqualified, continue in office until his successor becomes entitled to act as Chairman.
- (d) Subject to any Standing Orders made by the Authority anything authorised or required to be done by, or before the Chairman may be done by, or before the Vice-Chairman.

Chairman of Meeting

- 3.2. (a) the Chairman shall, if present, Chair meetings of the Authority. If absent, the Vice Chairman shall Chair the meeting
- (b) If the Chairman and Vice-Chairman of the Authority are absent from a meeting of the Authority then another Member of the Authority chosen by the Members present shall preside.

Section 4: Meetings of the full Authority

- 4.1 (a) The annual meeting of the Authority and other meetings of the Authority shall be held at such places on such dates and at such times as may be fixed by the Authority.
- (b) A special meeting may be called at any time by the Chairman of the Authority.
- (c) The Chairman must call a special meeting within 7 days when presented with a written request signed by seven Members.
- (d) Failure to call a properly requested special meeting entitles any five Members to call a special meeting of the Authority.

Section 5: Quorum for a meeting of the full Authority

- 5.1 (a) A quorum shall be 25% (rounded up) of the number of appointed members at least one of whom shall be a council member and at least one a general member.
- (b) If during any meeting of the Authority the Chairman finds that there is not a quorum present the meeting shall be adjourned and business not transacted shall be deferred to the next meeting

Section 6: Notice of Meetings

- 6.1. (a) The Notice of meeting and agenda shall be sent to Members at least 7 days in advance.
- (b) Failure to send the notice to any Member shall not affect the validity of a meeting.
- (c) Except for urgent matters raised in accordance with Standing Orders no business shall be transacted at a meeting of the Authority other than that specified in the notice and agenda.

Section 7: Rules of procedure for ordinary meetings of the full Authority or Committees

Order of Business

- 7.1 The order of business at every meeting shall be:-
 - (a) If necessary appoint a Chairman.

- (b) Chairman's Announcements.
- (c) Approve minutes of previous meeting(s) as a correct record.
- (d) Statutory business eg byelaw making.
- (e) Matters arising from previous meeting(s).
- (f) Consider reports, minutes and recommendations of Committees.
- (g) The order of business may be varied at the Chairman's discretion and with the approval of members or by a motion moved, seconded and approved by members.

Notices of Motion

- 7.2 (a) Notices of agenda items for discussion other than items which under Standing Order No. 7.3 may be moved without notice, shall be given in writing or by email, showing the names of the Member or Members raising the matter at least 10 days before the next meeting of the Authority, to the office of the Chief Executive by whom it shall be dated, and added to the next agenda in the order in which it is received.
- (b) The CEO shall set out in the notice of every meeting of the Authority all items received under 7.2(a) in the order in which they have been received.
- (c) If an item in the notice of meeting is not raised at the meeting either by a Member who gave notice thereof or by some other Member on his behalf it shall, unless postponed by consent of the Authority be treated as withdrawn and shall not be raised again without fresh notice.
- (d) If the subject matter of any item in the notice is within the remit of a Committee it shall, upon being proposed and seconded, be referred without discussion to such Committee as the Authority may determine, for consideration and report. Provided that the Chairman may, if he considers it convenient and conducive to the despatch of business, allow the motion to be dealt with at the meeting at which it is brought forward.

Scope of items included in the notice of meeting

- (e) Every item shall be relevant to some matter in relation to which the Authority has powers or duties.

Agenda items and amendments which may be moved without notice

- 7.3 The following items may be moved without notice:-
- (a) Appointment of a Chairman of the meeting.
 - (b) Items relating to the accuracy of the minutes.
 - (c) Remission to a Committee.
 - (d) Appointment of a Committee to report on an item in the notice of meeting.
 - (e) Adoption of reports and recommendations of Sub-Committees or Officers and any consequent resolutions.
 - (f) Vote of No Confidence in Chairman or other Member
 - (g) Extending the time limit for speeches.

- (h) Amendments to motions **in the notice of meeting.**
- (i) That the Authority proceed to the next business.
- (j) That the question be now put to a vote.
- (k) That the debate be now adjourned.
- (l) That the Authority do now adjourn.
- (m) Suspending Standing Orders, in accordance with Standing Order No. 1.2
- (n) That a meeting or agenda item be heard in closed session.**
- (o) That a Member be heard
- (p) That a Member named under Standing Order No. 7.9 be not further heard or do leave the meeting.
- (q) Inviting a Member to remain under Standing Order No. 10.1 (Pecuniary Interest).

Questions

- 7.4. (a) Every question shall be put and answered without discussion, but the Member to whom a question has been put may decline to answer.
- (b) An answer may take the form of:-
- (i) a direct oral answer; or
 - (ii) a reference to **a report or** publication; or
 - (iii) **a written answer after the meeting circulated to Members.**

Minutes

- 7.5 (a) Minutes of the proceedings of a meeting shall be drafted for approval at the next meeting of the Authority when the Chair shall put the question "that the minutes of the **last** meeting of the Authority be approved as a correct record".
- (c) No discussion shall take place upon the minutes, except upon their accuracy, and any question of their accuracy shall be raised **immediately**. If no such question is raised, or if it is raised, and **discussed to the satisfaction of the meeting**, the minutes shall be approved.

Rules of debate for committee meetings

7.7 Motions and amendments

- (a) 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 No. 7.2 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.

Only one Member to speak at a time.

- (c) A Member when speaking shall address the Chair. If two or more Members wish to speak, the Chairman shall call on one to speak; and take the others in turn. While a

Member is speaking the other Members shall remain seated unless rising to a point of order or in personal explanation.

Content and length of speeches

- (d) A Member shall direct his speech to the question under discussion or to a personal explanation or to a point of order. No speech shall exceed five minutes in the case of a mover of a motion, and three minutes in all other cases except by consent of the Authority.

When a Member may speak again

- (e) A Member who has spoken on any **item** shall not speak again whilst it is the subject of debate, except:-
- (i) to speak once on an amendment **proposed** by another Member;
 - (ii) if the item has been amended since he last spoke, to **propose** a further amendment;
 - (iii) if his first speech was on an amendment **proposed** by another Member, to speak on the main issue, whether or not the amendment on which he spoke was carried;
 - (iv) in exercise of a right of reply given by paragraph (k) of this Standing Order;
 - (v) on a point of order;
 - (vi) by way of personal explanation.

Amendments to **items**

- (f) An amendment **must be relevant to the item and shall either:-**
- (i) refer a subject of debate to a Sub-Committee for consideration or reconsideration;
 - (ii) to **leave out**, insert or add words; but such omission, insertion or addition of words shall not have the effect of reversing the motion before the Authority.
- (g) 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 Authority's business.
- (h) If an amendment be lost, other amendments may be moved on the original **item**. If an amendment be carried, the **item** as amended shall take the place of the original **item** and shall become the **item** upon which any further amendment may be moved.
- (i) A Member may with the consent of the Committee:-
- (i) **alter an item of which notice was given, or**
 - (ii) **with the consent of the seconder alter an item which was** moved, if (in either case) the alteration is one which could be made as an amendment hereto.

Withdrawal of motion

- (j) An item or amendment may be withdrawn by the proposer with the consent of the seconder and of the Authority. No Member may speak upon it after the proposer has asked permission for its withdrawal, unless such permission shall have been refused.

Right of reply

- (k) The proposer of an item has a right to reply at the close of the debate on the item, immediately before it is put to the vote. If an amendment is proposed the proposer of the original motion shall also have a right of reply at the close of the debate on the amendment and shall not otherwise speak on the amendment. The proposer of the amendment shall have no right of reply to the debate on his amendment.

Items which may be proposed during debate

- (l) When an item is under debate no other item shall be proposed except the following:-
- (i) to amend the item;
 - (ii) to adjourn the meeting;
 - (iii) to adjourn the debate;
 - (iv) to proceed to the next business;
 - (v) that the question be now put to a vote;
 - (vi) that a Member be heard
 - (vii) that a Member be not further heard;
 - (viii) by the Chairman under Standing Order No. 7.9 that a member do leave the meeting;
 - (ix) to exclude the public.

Closure motions

- (m) A Member may propose at the conclusion of a speech of another Member, "That the Authority proceed to the next business", "That the question be now put to a vote", "That the previous question be voted", "That the debate be now adjourned", or "That the Authority do now adjourn", on the seconding of which the Chairman shall proceed as follows:-
- (i) on a proposal to proceed to the next business: unless of the opinion the matter before the meeting has been insufficiently discussed, the Chairman shall first give the proposer of the original motion a right of reply and then put to the vote the proposal to proceed to next business;
 - (ii) on a motion that the question be now put to a vote; unless of the opinion the matter before the meeting has been insufficiently discussed, the Chairman shall first put to the vote the motion that the question be now put, and if it is passed then give the original proposer a right of reply under sub-paragraph (k) of this Standing Order before putting the proposal to the vote;
 - (iii) on a motion to move previous question: The Chairman shall say "the previous question has been proposed" as a point of order. If of the opinion the matter has been sufficiently discussed the Chairman will accept the

point of order. The meeting then moves immediately to a vote on the question that was being discussed. On a vote of 'yes' to the point of order the question goes immediately to the vote. On a vote of 'no' the Chairman proceeds immediately to the next item of business.

- (iv) on a motion to adjourn the debate or the meeting: if **of the** opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be discussed on that occasion **the Chairman** shall put the adjournment motion to the vote without giving the mover of the original motion a right of reply .

Points of order

- (n) 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 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 it has been broken. A personal explanation shall be confined to some material part of a former speech which may appear to have been misunderstood in the present debate.

Chairman's ruling

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

Respect for the Chair

- (p) Whenever the Chairman speaks during a debate a Member then speaking shall stop and the Authority shall be silent.

Vote of no confidence in the Chairman or another Member

- (q) The Chairman stops business and calls on the Chief Executive. The Chief Executive asks if there are 3 or more Members present who would support the motion. If so the Chief Executive shall put a motion "that this meeting has confidence in the Chairman". A vote is then taken.

Motions affecting persons employed by the Authority

- 7.8. If any question arises at a meeting of the Authority (or any Committee of the Authority to which the Local Government Act, 1972 (as amended) applies) relating to a particular employee, former employee or applicant to become an employee of, or a particular office-holder, or applicant to become an office-holder under the Authority, such question shall not be the subject of discussion until the Authority or Committee, as the case may be, has decided whether the power or exclusion of the public under Section 100 of the Local Government Act, 1972 (as amended) shall be exercised.

Disorderly conduct by members

- 7.9 (a) If at a meeting, any Member of the Authority, in the opinion of the Chairman, misconducts **themselves** by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly or offensively, or by wilfully obstructing the business of 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.

Continuing misconduct by a named Member

- (b) If the Member named continues misconduct after **censure** under the foregoing paragraph the Chairman shall:-

EITHER **propose** "That the Member named do leave the meeting" (in which case the **proposal** shall be put **to a vote** and determined without seconding or discussion);

OR adjourn the meeting of the Authority for such period **as the Chairman** considers expedient.

General disturbance

1. **In the event of general disturbance, which in the opinion of the Chairman renders the orderly dispatch of business impossible, the Chairman may, without question, adjourn the meeting for such period as he/she considers expedient.**

Rescission of preceding resolution

- 7.10 No **proposal** to rescind any resolution passed within the preceding six months, and no **proposals** 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 No. 7.2 bears the names of at least one-third of the Members of the Authority, it shall not be open to any Member to propose a similar motion within a further period of six months.

Provided that this Standing Order shall not apply to motions moved in pursuance of a recommendation of a Sub-Committee

Voting

- 7.11 (a) The mode of voting at meetings of the Authority shall be by show of hands: provided that on the requisition of any Member of the Authority made before the vote is taken (and supported by 8 other members who signify their support by raising their hands) the voting on any question shall be by roll-call and shall be recorded so as to show how each Member present and voting gave his vote. The name of any Member present and not voting shall also be recorded.
- (b) Subject to those provisions in the case of an equality of votes the person presiding at the meeting shall have a second or casting vote.

Section 8: Committees of the North Western IFCA

Appointment of Committees

- 8.1 **The Authority may at the AGM appoint Committees and may at any time appoint other Committees deemed necessary. The Authority may at any time dissolve a Committee or alter its membership**

Ex-officio membership of Committees

- 8.2 The Chairman and Vice-Chairman are ex-officio members of every committee of the Authority. In respect of the Finance Committee if the Chairman and Vice-Chairman are non-Local Authority appointees they shall be non-voting members.

Constitution of Committees

- 8.3 (a) **The CEO shall send out a summons to all Committee meetings 7 days in advance setting out the business to be considered. No business other than that set out in the summons shall be considered at that meeting**

The following Committees shall be the Standing Committees of the Authority and shall consist of the number of Members (exclusive of Chairman and Vice-Chairman of the Authority) specified at paragraphs (b), (c), and (d) of this Standing Order.

The Authority or Committees can take decisions by correspondence including using email. All relevant members of the Authority or its Committees must be given the opportunity to contribute to decisions taken by correspondence.

(b) The Finance Committee shall have 10 members comprising all Local Authority appointees. It shall consider all matters arising under the financial regulations and have plenary powers to set the annual budget and levies. On matters other than the budget and levies it may make recommendations to the Authority or act on urgent matters.

Meetings of the Finance Committee are not open to the public.

(c) The Chairman's Committee shall have 5 members made up of the Chairman, Vice-Chairman, Chairman of the Finance Committee, Chief Executive and Head of Enforcement. It shall consider personnel and urgent and sensitive matters and act as the Standards Committee as required. The Chairman shall have the power to appoint additional members if necessary.

This Committee shall have plenary powers to act on urgent matters.

(d) The Technical, Science and Byelaw Committee (TSB) shall have 10 members made up of EA, NE and MMO officer members and 7 MMO and Council appointees. It shall consider technical matters relevant to science and byelaws. TSB shall have plenary powers to act on urgent matters.

The 7 MMO and Council members of TSB are appointed at each AGM following a confidential ballot conducted by the CEO prior to the AGM.

All Authority members may attend TSB and receive papers on request. Non-TSB members must inform the Clerk one week before the meeting. They may not speak or vote at the meetings.

Meetings of the TSB are not open to the public.

Election of Chairman and Vice-Chairman of Committee

8.4 Every Committee shall, at its first meeting after each AGM before proceeding to any other business, elect a Chairman for the year. In the absence from a meeting of the Chairman and Vice-Chairman a Chairman for that meeting may be appointed from amongst the Members present.

Special meetings of Committees

8.5 The Chairman of a Committee or the Chairman of the Authority may call a special meeting of a Committee at any time. A special meeting shall also be called on the requisition of a quarter (minimum 3) of the members (rounded up) of the Committee, delivered in writing to the CEO.

Quorum of Sub-Committees

8.6 Except where authorised by the Authority, business shall not be transacted at a meeting of any Committee unless at least one quarter (rounded up) of the members (minimum 3) of the Committee is present.

Voting in Committees

8.7 Voting at a meeting of a Committee shall be by a show of hands.

Standing Orders to apply to Sub-Committees

8.8 The Standing Orders of the Authority apply to Sub-Committee meetings.

Proposer of item may attend Sub-Committee

8.9 A Member of the Authority who has **proposed an item** which has been referred to any Committee shall have notice of the meeting of the Committee at which **item** will be considered. **The proposer may** attend the meeting and have an opportunity of explaining the motion.

Section 9: Participation in meetings by members of the public

Questions from members of the public

- 9.1 (a) **Subject to these Standing Orders members of the public may ask questions at meetings of the Authority at the discretion of the Chairman.**
- (b) Notice of questions must be given to the Clerk by post **or email** 2 clear working days before the day of the meeting. Each question must give the name and address of the questioner. Copies of all questions will be tabled for members and made available to the public attending the meeting. Written questions shall be limited to a maximum of 50 words. Rejected questions will include reasons for rejection.
- (c) No person or organisation may submit more than three questions to any one meeting.
- (d) The Chairman will invite the questioner to put the question to the NWIFCA. If the questioner is unable to be present they may ask the Chairman to put the question on their behalf.
- (e) The right for a member of the public to speak at any meeting of the NWIFCA shall be at the sole discretion of the Chairman. Questions shall be relevant to agenda items and matters raised at that meeting. Members of the public shall not be permitted to vote.
- (f) The Chairman has authority to terminate any question from the public if he/she considers it is not relevant to the subject matter of the agenda or the speaker is becoming abusive or disruptive.
- (g) Public speaking will be limited to 3 minutes per speaker and a total of 10 minutes unless the Chairman agrees a longer period.

Disturbance by members of the public

9.2 If a member of the public interrupts the proceedings at any meeting the Chairman shall warn **that person**. If the **interruption continues** the Chairman shall order removal **of the person** from the meeting room. In case of a general disturbance in any part of the meeting room open to the public, the Chairman shall order that part to be cleared. **If sufficiently serious, the Chairman may suspend the meeting.**

Section 10: Pecuniary Interests of members

10.1 **At the start of any Authority or Committee meeting, members must declare any pecuniary interest within the meaning of Section 30 of the Localism Act 2011 in any scheduled business**

Any Member having any such pecuniary interest is not be permitted to vote on that business unless:

- (a) The Authority has given them dispensation to vote in accordance with the Code of Conduct attached to these Standing Orders.
- (b) The matter is under consideration by the Authority as part of the report for information and is not subject to a decision by the Authority.

Interest of Officers in Contracts

10.2 The Chief Executive shall record particulars of any Notice given by an Officer of the Authority under Section 117 of the Local Government Act, 1972 (as amended) of a pecuniary interest in a contract, and details shall be open during office hours to the inspection by any Member of the Authority.

Section 11: Staff Establishment and filling of vacancies

- 11.1. (a) The Authority shall from time to time determine the establishment of the Authority. No new office shall be created except with the agreement of the Authority.
- (b) All vacancies to be filled in offices under the Authority not being temporary posts, unless they are to be filled by promotion or transfer, shall be publicly advertised except where the Authority otherwise determine.

Provided that where, within six months of the filling of a vacancy which has been publicly advertised, a similar vacancy occurs, the Authority may recommend to appoint one of the former applicants.

- (d) Where a **vacancy** has not been appointed the Authority may, if they think fit, appoint and fix the remuneration of some person to carry on temporarily the duties of the office until a successor is appointed.

Canvassing of and recommendations by members

- 11.2 (a) Canvassing of Members of the Authority 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 every advertisement inviting applications for appointments or in any form of application.
- (b) A Member of the Authority 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.

Relatives of members or officers

- 11.3 (a) A candidate for any appointment under the Authority who knows that he is related to any Member or Officer of the Authority shall, when making application, disclose that relationship to the **CEO**. 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 Authority shall disclose to the **CEO** any relationship known to him to exist between himself and any person whom he

knows is a candidate for an appointment under the Authority. The **CEO** shall report to the Authority or to the appropriate Committee any such disclosure made to him.

- (b) The purport of this Standing Order shall be included in any form of application.
- (c) For the purpose of this Standing Order "Officer" means any officer under the Authority so designated by the Authority and 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.

Section 12: Financial Administration

- 12.1. (a) Every member of a Committee and Officers of the Authority shall conform with the financial arrangements made by the Authority under the provisions of Section 151 of the Local Government Act 1972.
- (b) The Financial Regulations of the Authority as provided at Chapter 2 **of this Constitution** shall apply.

Section 13: Freedom of Information (FOI)

13.1. The Authority will publish a publication scheme as required under the FOI Act 2000.

Section 14: Authentication of documents for legal proceedings

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

Section 15: Inspection of Premises, etc.

- 15.1 Unless specifically authorised to do so by the Authority or a Committee, a Member of the Authority 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 membership of the Authority any right to inspect or to enter upon premises which the Authority has have the power or duty to inspect or duty to inspect or enter.

Section 16: Acting with the Authority of the NWIFCA

- 16.1 **In all cases members of the Authority should not hold themselves out to be acting with the authority of the NWIFCA unless they have the authority to do so. Such acts would include use of the Authority logo on non-Authority communications and attending meetings as a member unless attendance is sanctioned by the Authority"**

Reviewed and approved by NWIFCA resolution

12th June 2015

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FINANCIAL REGULATIONS – ANNEX A

The following Financial Regulations were approved by resolution at a meeting of the Authority held on 12th June 2015 and supersede all previous Financial Regulations.

GENERAL

1. These Financial Regulations should be read in conjunction with the Standing Orders of the Authority.
2. These financial regulations govern the conduct of financial management by the Authority and may only be amended or varied by resolution of the Authority. The Authority is responsible in law for ensuring that its financial management is adequate and effective and that it has a sound system of financial control.
3. The Responsible Financial Officer (RFO) shall be the Chief Executive Officer (CEO) or an officer or member of the Authority nominated by the CEO. The RFO acting under the policy direction of the Authority shall administer the Authority's financial affairs in accordance with proper practices. The RFO shall be responsible for the production of financial management information. The RFO shall determine on behalf of the Authority its accounting records, and accounting control systems. The RFO shall ensure that the accounting control systems are observed and that the accounting records of the Authority are maintained and kept up to date in accordance with proper practices. In any cases where financial irregularity is suspected, the Chairman of the Authority and the Internal Auditor should be informed.
4. The Authority shall conduct a review annually of the effectiveness of its system of internal control which shall be in accordance with proper practices.

ANNUAL ESTIMATES (BUDGET)

5. Detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the year shall be prepared each year by the RFO in the form of a budget to be considered by the Authority.
6. The Finance Sub-Committee shall review the budget and make a recommendation to the Authority not later than the end of January each year on the Precept to be levied for the ensuing financial year.
7. All expenses incurred by the Authority within the agreed budgets are to be met by the relevant councils.
8. The annual budgets shall form the basis of financial control for the ensuing year.

BUDGETARY CONTROL

9. At each meeting of the Authority the RFO shall report on the financial position.
10. The RFO shall regularly provide the Authority with a budget review reporting on the receipts and payments to date under each major head of the budget, comparing actual expenditure to the appropriate date against that planned as shown in the budget.
11. Expenditure on revenue items may be incurred up to the amounts approved under the major budget heads in the approved budget.
12. Adjustments may be made between major budget heads, as follows: up to £10,000, with the approval of the Chairman of the Finance Sub-Committee; and up to £30,000, with the approval of the Finance Sub-Committee.
13. Expenditure not provided for in the budget may be approved by a majority vote of Finance Sub-Committee.
14. The RFO may incur expenditure on behalf of the Authority which is necessary to carry out any repair replacement or other work which is of such urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £10,000.
15. In these financial regulations 'major budget heads' shall refer to following: Employees, Premises, Transport, Vessel Purchase, Supplies and Services, Corporate.
16. Before incurring expenditure of a capital nature exceeding £30,000 the RFO shall supply the Authority or Finance Sub-Committee with a written report showing the estimated cost, the proposed method of financing, and the effect on current and future years.

ACCOUNTS AND AUDIT

17. All accounting procedures and financial records of the Authority shall be determined by the RFO in accordance with Accounts and Audit Regulations
18. The RFO shall complete the annual financial statements of the Authority as soon as practicable after the end of the financial year and shall submit them and report thereon to the Authority
19. The RFO shall complete the Accounts of the Authority and shall submit them for approval and authorisation by the Authority within any required regulatory timescales set by Accounts and Audit Regulations.

20. The RFO shall ensure that there is an adequate and effective system of internal audit of the Authority's financial operations. The RFO shall appoint an Internal Auditor competent and independent of the operations of the Authority to report annually to the Authority in writing. The internal audit procedure will be reviewed annually by the Authority.

BANKING ARRANGEMENTS AND CHEQUES

21. The Authority's banking arrangements shall be made by the RFO on behalf of the Authority. A current account shall be maintained at the bank to cover general expenses, salaries and wages. The RFO is also authorised to operate such accounts as are necessary to optimise income from interest bearing accounts.
22. All accounts for payment will be entered on schedules to be signed by the RFO.
23. Cheques will be signed by any two cheque signatories who shall be appointed by a bank mandate approved by the Authority.
24. Any payments over £50,000 shall be countersigned by the Chair of the Authority or of the Finance Sub-Committee.
25. Cheques over £50,000 shall be accompanied by written authorisation from a member of the Finance Sub-Committee.
26. A bank statement on the Authority's account will be obtained at least once a month. Bank reconciliation will be carried out monthly. All cash and cheques received will be promptly banked.

PAYMENT OF ACCOUNTS

27. All payments shall be effected by BACS payment from the Authority's account, by cheque, or direct debit in appropriate cases.
28. All invoices for payment shall be examined, verified and certified approved by the officer appointed to this duty by the RFO. The officer responsible shall satisfy him/herself that the work, goods or services to which the invoice relates shall have been received, carried out, examined and approved. The officer appointed by the RFO shall examine invoices in relation to arithmetic accuracy and shall analyse them to the appropriate expenditure heading.
31. Payment for utility supplies (energy, telephones and water), rates, fuel, pension contributions and similar recurring expenses may be made by direct debit. These payments will be entered on schedules to be signed by the RFO.

PAYMENT OF SALARIES

32. As an employer, the Authority shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made by the officer appointed by the RFO in accordance with payroll records and the rules of PAYE and National Insurance currently operating
33. Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance and pension contributions, may be made by the officer appointed by the RFO in accordance with the payroll records and on the appropriate dates stipulated in employment contracts.

INVESTMENTS

34. All investments of money under the control of the Authority shall be negotiated by the RFO in the name of the Authority.

35. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

INCOME

36. The collection of all sums due to the Authority shall be the responsibility of and under the supervision of the RFO.
37. The RFO will review all fees and charges where appropriate.
38. Any sums found to be irrecoverable and any bad debts shall be reported to the Authority.
39. All sums received on behalf of the Authority shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the Authority's bankers with such frequency as the RFO considers necessary.
40. The origin of each receipt shall be entered on the paying-in slip.
41. Personal cheques shall not be cashed out of money held on behalf of the Authority.
42. The officer appointed by the RFO shall promptly complete any VAT Return that is required. Any repayment claim due shall be made at least annually coinciding with the financial year end.

ORDERS

43. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate.
44. Order books shall be controlled by the RFO.
45. Orders for the supply of goods or for work to be done shall be issued by nominated Officers in writing on official triplicate forms or an electronic version. One copy will be sent to the supplier wherever possible, another will be sent to the officer appointed by the RFO, and the third copy retained in the order book or on computer. Exceptions to this ordering procedure will be rents, rates, utility and telephone bills, lease payments, maintenance agreements and other similar recurring payments, which will be monitored by the officer appointed by the RFO.
46. All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction.

CONTRACTS

47. Procedures as to contracts are laid down as follows:
- (a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that these regulations shall not apply to contracts which relate to items (i) to (vi) below:
- (i) for the supply of gas, electricity, water, sewerage, telephone, ICT and broadband services;
- (ii) for specialist services such as are provided by solicitors, accountants, surveyors, ICT and planning consultants;
- (iii) for work to be executed or goods or materials to be supplied which consists of repairs to or parts for existing machinery or equipment or plant;

- (iv) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
 - (v) for additional audit work of the external Auditor up to an estimated value of £1000 (in excess of this sum the RFO shall act after consultation with the Chairman and Vice Chairman of Authority);
 - (vi) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price, or for which there is only one source of supply.
- (b) Where it is intended to enter into a contract exceeding £10,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the RFO shall invite tenders from at least three firms.
 - (c) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the Authority.
 - (d) Such invitation to tender shall state the general nature of the intended contract and the RFO shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the RFO in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
 - (e) All sealed tenders shall be opened at the same time on the prescribed date by the RFO in the presence of at least one member of Authority.
 - (f) If less than three tenders are received for contracts above £10,000 or if all the tenders are identical the Authority may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
 - (g) The Authority shall not be obliged to accept the lowest or any tender, quote or estimate.
 - (h) Any invitation to tender issued under this regulation shall contain a statement to the effect that procedures 47(b) to 47(h) will apply.

ASSETS

- 48. The RFO shall make appropriate arrangements for the custody of all title deeds or assets owned by the Authority. The RFO shall ensure a record is maintained of all assets owned by the Authority, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 49. No asset exceeding £20,000 shall be sold, leased or otherwise disposed of without the authority of the Finance Sub-committee.
- 50. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.
- 51. The RFO shall ensure that an Inventory of appropriate smaller equipment is also kept and updated annually.

INSURANCE

52. The RFO shall keep a record of all insurances effected by the Authority and the property and risks covered thereby and annually review it.
53. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to Authority at the next available meeting.
54. All appropriate employees of the Authority shall be included in a suitable fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Authority.

RISK MANAGEMENT

55. The Authority is responsible for putting in place arrangements for the management of risk. The RFO shall include in the Annual Plan a risk management policy statement in respect of activities of the Authority and this will be reviewed annually by the Authority.
56. When considering any new activity the RFO shall appoint an officer to prepare a risk assessment.

MEMBERS' EXPENSES

57. Payment of allowances for approved duties will be made to MMO appointees to the Authority at the rate set by the Authority. Council appointees should claim expenses from their Council.
58. Approved duties for members of the Authority are attendance at any meetings of the Authority or Sub-Committee to which they have been appointed, or other meetings which they have been asked to attend by the Authority as a representative.
59. It is the responsibility of members to ensure they sign the attendance book at Authority meeting, as this forms the official record of attendance for payment of expenses.

REVISION OF FINANCIAL REGULATIONS

60. It shall be the duty of the Authority to review the Financial Regulations of the Authority from time to time. The RFO shall make arrangements to monitor changes in legislation or proper practices and shall advise the Authority of any requirement for a consequential amendment to these financial regulations.

**NWIFCA Responsible Financial Officer
June 2015**