

# Constitution



## Part 2: Articles of the Constitution

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### Article 16: Suspension, Interpretation and Publication of the Constitution

#### 16.1 Suspension of the Constitution

##### 16.1.1 Limit to suspension

The Articles of this Constitution may not be suspended. The Standing Orders specified within the Constitution may be suspended by the full Council and/or the Cabinet and Cabinet Members to the extent permitted within those rules and the law.

##### 16.1.2 Procedure to suspend

A motion to suspend any rules will not be moved without notice and unless at least one half of the whole number of councillors are present. The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in Article 1.

##### 16.1.3 Rules capable of suspension

The following Standing Orders may be suspended in accordance with Article 16.1:

- all Council Standing Orders (except Standing Orders 10 (1.10.2), 16 (1.16), and 17 (1.17) may be suspended so far as any item of business at a meeting of full Council in accordance with Standing Order 17.
- Cabinet Standing Orders may be suspended if agreed by the Cabinet or by individual cabinet Members in matters of urgency in accordance with Standing Order 28 (2.9). Any suspension must be reported to the relevant Overview and Scrutiny Committee to ensure safeguards against any possible misuse.

#### 16.2 Interpretation

The ruling of the Mayor, as advised by the Monitoring Officer where necessary, as to the construction or application of this Constitution or as to any proceedings of the Council shall not be challenged at any meeting of the Council. Such interpretation will have regard to the purposes of this Constitution contained in Article 1.

## **16.3 Publication**

- The Monitoring Officer will make available a copy of this Constitution to each member of the authority, normally via the Council's internet or intranet.
- The Monitoring Officer will ensure that the Constitution is available electronically on the Council's Website and that copies are available for inspection at Council offices, libraries and other appropriate locations, and can be purchased by members of the local press and the public on payment of a reasonable fee.
- The Monitoring Officer will ensure that the Constitution is made available for inspection and is updated as necessary.

## **Schedule 1: Description of Cabinet Arrangements**

The following parts of this Constitution constitute the Cabinet arrangements:

- Article 6 (Scrutiny Committees) and the Overview and Scrutiny Procedure Rules;
- Article 7 (The Executive) and the Cabinet Procedure Rules;
- Article 11 (Joint arrangements) if joint committees have functions delegated to them by the Executive;
- Article 13 (Decision-making) and the Access to Information Procedure Rules;
- Part 3 (Responsibility for Functions).