

## PART 2

### Articles of the Constitution

## Article 16 - Construction, Publication and Suspension of the Constitution

### 16.1 CONSTRUCTION

The ruling of the Mayor as to the construction or application of the Constitution, or as to any proceedings of the Council, shall not be challenged at any Meeting of the Council. The Mayor must be guided in his/her interpretation by the purposes of the Constitution set out in Article 1 and by the Monitoring Officer.

### 16.2 PUBLICATION

- (a) The Chief Executive will ensure that each Councillor is made aware of where they can view a copy of the Council's Constitution upon delivery to him/her of his/her declaration of acceptance of office on the Councillor being elected to the Council.
- (b) The Chief Executive will ensure 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.
- (c) The Chief Executive will ensure that the summary of the Constitution is made widely available within the area and is updated as necessary.

### 16.3 SUSPENSION OF THE CONSTITUTION

#### 16.3.1 Limit to suspension

The Articles of this Constitution may not be suspended other than [Article 12](#) (Employees) to the extent that may be necessary for the purposes of making temporary arrangements in relation to the duties and functions of Employees.

#### 16.3.2 Rules capable of suspension

The rules contained in [Part 4](#) (save for the exceptions listed below) may be suspended by the Council but only to the extent permitted by law and after the advice of the Borough Solicitor has been obtained. The exceptions are:

- (a) Procedure [Part 4A](#)                      Notices of Motions  
[rule 9](#)
- (b) Procedure [Part 4C](#)                      Members' entitlement to have their  
[rule 15](#)                                      votes recorded

- (c) Procedure [Part 4D](#)      Prevention of Disorderly Conduct  
[rule 26](#)
- (d) [Part 4F](#)      Employment Rules
- (e) [Part 4H](#)      Financial Rules

### 16.3.3 Procedure to suspend

A motion to suspend can only be made by the Council and cannot be moved without notice unless at least one half of the whole number of Members entitled to be present are present. The extent and duration of suspension must be proportionate to the result to be achieved, taking account of the purposes of the Constitution as set out in [Article 1](#) and shall only be for so long as is necessary to transact the particular item of business necessitating the suspension.