

INTRODUCTION

The Council's business is transacted within a general framework of authority comprising statutory provisions, orders and directions, bylaws and a variety of specific resolutions by the Council and its various Committees.

This document contains a set of principal instruments for the internal regulation of the Council's affairs. It was approved by Full Council on 14th May 1996 and took immediate effect

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PART ONE

MEETINGS

1 MEETINGS

1.1 The Annual Meeting of the Council shall be held:-

- 1 in years other than those of ordinary elections of Members to the Council, on the second Tuesday in May;
- 2 in years of such elections on a date in May to be fixed by the Council.

1.2 In addition to the Annual Meeting of the Council and any meetings convened by the Chairman or by Members of the Council, meetings for the transaction of general business shall be held in March, August and December.

1.3 The Council will meet at the Town Hall, St. Mary's or at such other place as the Chairman may direct.

1.4 A special meeting shall also be summoned on the requisition of six Members of the Council delivered in writing to the Chief Executive. The summons to the meeting shall set out the names of the Members requisitioning the meeting and the business to be considered and no other business shall be considered at that meeting.

2 ORDER OF BUSINESS

2.1 At meetings of the Council the order of business shall be as follows:-

- 1 to elect a Member to preside if the Chairman and Vice-Chairman are absent;
- 2 to transact any business required by statute to be done before any other business;
- 3 to receive the minutes of the preceding meeting and, if agreed, to order that they be signed as a correct record;
- 4 to receive Chairman's announcements;
- 5 to transact any business adjourned from previous meetings;
- 6 to consider reports from Committees including the receipt of minutes for information;
- 7 to deal with any question asked for under Standing Order 14.5;
- 8 to consider motions in accordance with Standing Order 5;
- 9 to transact any other business which the Chairman is prepared to certify as of such urgency that it must be dealt with at this meeting.

3 VARIATION OF ORDER OF BUSINESS

3.1 The Chairman may, with the consent of the Council, vary the order of business.

4 MINUTES

4.1 Subject to Standing Order 4.2, the minutes of a meeting of the Council shall be signed at the next following meeting of the Council by the Chairman.

4.2 Where a special meeting of the Council is held under the provision of Paragraph 3 of Schedule 12 to the Local Government Act 1972, the minutes of the previous ordinary meeting shall be considered at the next ordinary meeting of the Council.

4.3 The only discussion allowed upon the minutes shall be as to their accuracy.

5 NOTICES OF MOTION

5.1 If a Member wishes to move a motion at a meeting of the Council then notice in writing shall be given to the Chief Executive of its terms and the name of a Member who has agreed to second it. Such notices shall be dated, numbered as received and available for the inspection of Members.

5.2 A notice of motion shall not be included in the summons unless it is delivered to the Chief Executive's office before 9.00 am eight working days before the day on which the Council Meeting is to be held.

5.3 If the subject matter of a motion comes within the terms of reference of a Committee (as decided by the Chairman) it shall, upon being moved and seconded, be referred without discussion to the next meeting of that Committee for consideration and report. As an exception to this rule, the notice of motion shall be dealt with at the meeting in the following cases:-

- 1 where the Chairman believes that the motion relates to a recommendation in Part 1 of a Committee's report to Council, it shall be called as the first amendment when that recommendation is considered. It shall be treated as an amendment for all purposes in these Standing Orders; or
- 2 where the Council decides that a decision should be taken immediately on the issue.

5.4 The motion shall relate to the work of the Council or the interests of people living in the Islands.

A motion shall not be taken if its proposer is not present unless another Member has been asked to propose it and the Council so agree.

6 MOTIONS DURING A DEBATE

6.1 The only proposals which may be moved without notice during a debate are:-

- 1 to amend the motion;
- 2 to postpone consideration of the motion;
- 3 to adjourn the meeting;
- 4 to adjourn the debate;
- 5 to proceed to next business;
- 6 that the question be now put;
- 7 that Councillor be not further heard;
- 8 that Councillor do leave the meeting;
- 9 that recommendation number of a Committee be referred back to the Committee for further consideration;
- 10 that the Committee be asked to reconsider minute or draft minute number;
- 11 that the press and public be excluded;
- 12 to suspend any one or more Orders in Part One of Standing Orders during consideration of the motion.

7 AMENDMENTS

7.1 An amendment shall be either:-

- 1 to leave out words;
- 2 to leave out words and insert or add others; or
- 3 to insert or add words.

7.2 When an amendment has been moved and seconded, no further amendments shall be moved until the first amendment has been voted upon or withdrawn. This shall not preclude a Member from giving notice of a further amendment.

7.3 If an amendment is carried, it shall be incorporated into the motion which shall become the substantive motion upon which further amendments may be moved. If the amendment is voted down or withdrawn, further amendments may then be moved on the motion.

8 WITHDRAWAL OR VARIATION OF MOTION OR AMENDMENT

8.1 With the assent of the Council, a Member proposing a motion or amendment may with the agreement of any seconder:-

- 1 withdraw that proposal;
- 2 alter its wording;
- 3 accept an amendment or a reference back or request a Committee to reconsider a minute or draft minute.

9 REPORTS OF COMMITTEES

9.1 Reports of Committees to the Council shall be made in two parts.

9.2 Part 1 of a Committee Report:-

- 1 Part 1 shall contain recommendations on functions reserved to the Council under these Standing Orders or on matters which the Council may direct shall be decided by them.

9.3 Part 2 of a Committee Report:-

- 1 Part 2 shall contain the minutes and/or draft minutes of the Committee presented to the Council for information only;
- 2 the minutes and/or draft minutes of Part 2 of a Committee report shall be presented for information by the Chairman of the Committee or, at his discretion, by the Member presiding at the meeting of the Committee;
- 3 when a Committee's minutes or draft minutes are being considered a Member may either comment upon specified minutes or move the following motion if a decision described in the minutes has not been carried out or if the decision is to take no action on a certain matter:-
- 4 "that the Committee reconsiders the decision".

10 RIGHT OF REPLY

10.1 The mover of a motion shall have a right of reply to any debate on that motion.

10.2 The Member presenting a Committee's minutes or draft minutes shall have a right of reply to any discussion on those minutes.

10.3 The Member presenting a Committee's minutes or draft minutes shall also have a right of reply to the following:-

- 1 a motion asking the Committee to reconsider a minute or draft minute;
- 2 to any closure motion.

10.4 The mover of an amendment or of any of the procedural motions referred to in Standing Order 6.1 shall not have a right of reply.

11 POINTS OF ORDER OR PERSONAL EXPLANATION

- 11.1** A Member may rise on a point of order or in personal explanation and shall be allowed by the Chairman to be heard forthwith.
- 11.2** A point of order shall relate only to an alleged breach of a specified Standing Order or statutory provision and the Member raising it shall identify immediately how it has been broken.
- 11.3** A personal explanation shall be confined solely to a brief explanation of how a speech by that Member in the current debate appears to have been misunderstood factually. It shall not be used to introduce new material.
- 11.4** The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

12 SPEECHES

- 12.1** A Member shall stand when speaking and address the Chairman. When the Chairman speaks a Member shall sit down. The Council shall remain silent while the Chairman is speaking.
- 12.2** A Member shall direct his speech to the question under discussion or to a point of order. The Chairman may call the attention of the Council to continued irrelevance or tedious repetition on the part of a Member and may direct such Member to stop speaking.
- 12.3** No speech shall last longer than ten minutes, except with the consent of the Council.

13 CLOSURE MOTIONS

- 13.1** A Member who has not previously spoken in the debate may, at the conclusion of the speech of another Member, move without comment one of the following closure motions:-
- 1 that the meeting do now adjourn;
 - 2 that the debate be adjourned;
 - 3 that the meeting do now proceed to next business;
 - 4 that the question be now put.
- 13.2** If the closure motion is seconded then, subject to the proviso in Standing Order 13.3, the Chairman shall proceed as follows:-
- 1 the closure motion shall be put to the vote forthwith and without discussion;
 - 2 if the closure motion is carried then, subject only to the right of reply of the Member presenting the report or proposing the original motion, the closure motion shall be acted upon.
- 13.3** The Chairman shall have the discretion not to accept such a closure motion when of the opinion that the matter before the meeting has been insufficiently discussed.

14 QUESTIONS

- 14.1** All questions must relate to the functions of the Committee.
- 14.2** Every question shall be put and answered without discussion.
- 14.3** Written notice of a question under Standing Order 14.4 or 14.5 must be given to the Chief Executive not later than 9.30 am on the day before the Council meeting. The Chairman of the Council and of the relevant Committee may accept a question of which full notice has not been given if they deem it sufficiently urgent.
- 14.4** A Member may put questions relating to matters not contained in a report of a Committee to the Member submitting the report immediately before it is considered. The questions may only be put in writing under Standing Order 14.3.
- 14.5** After all the Committee reports have been dealt with, a Member may put a question, under Standing Order 14.3, to the Chairman of a Committee not submitting a report.
- 14.6** An answer to a question under Standing Order 14.4 or 14.5 may take the form of:-
- 1 an immediate oral answer; or
 - 2 a reference to a publication of the Council which contains the information requested; or
 - 3 a written answer, where the necessary information is not readily available, which shall be given to the questioner as soon as practicable after the meeting.
- 14.7** In the case of any question under Standing Order 14.4 or 14.5 details of the question and answer shall be circulated to all Members not later than the next meeting.
- 14.8** A question relating to a recommendation or a minute or draft minute of a Committee may only be put orally and may only be put when that business is being considered. If a Member asks such a question without comment, then on receiving an answer, he shall still be able to speak on that item of business.

15 VOTING

- 15.1** All motions and amendments, unless the law requires otherwise, shall be decided by a show of hands. If before the Chairman calls for the vote either:-
- 1 the mover and seconder; or
 - 2 any Member supported by one quarter of the Members present rising in their places
- request that a Recorded Vote be taken, then votes shall be publicly declared, recorded by the Chief Executive and printed in the minutes of the meeting.
- 15.2** If immediately after the vote is taken any Member so requires, the minutes of the meeting shall record how that Member voted on the question or whether he abstained from voting.
- 15.3** Where a vote is taken upon the choice of more than two candidates for an appointment and there is not an absolute majority in favour of one candidate, the candidate receiving the least number of votes shall be excluded and a further vote taken, the procedure being repeated until there is an absolute majority in favour of one candidate.
- 15.4** In the case of an equality of votes, the Chairman may give a second or casting vote.

16 OFFENSIVE OR DISORDERLY CONDUCT

- 16.1** If at a meeting a Member uses an expression which another Member believes is offensive and the latter draws the attention of the Chairman to it, the Chairman may request the Member to withdraw the expression.
- 16.2** If at a meeting the Chairman believes a Member to be guilty of persistently disregarding the ruling of the Chair, by behaving irregularly, improperly or offensively, or wilfully obstructing the business, the Chairman or any other Member may move "that Councillor ----- be not further heard" and the motion, if seconded shall be put and determined without discussion.
- 16.3** If a Member does not withdraw an expression when requested to do so by the Chairman, repeats it, uses other language which is offensive, or continues the misconduct after a motion under the previous paragraph has been carried, the Chairman shall either:-
- 1 move "that Councillor ----- do leave the meeting", in which case the motion shall be put and determined without seconding or discussion; or
 - 2 adjourn the meeting for such a period as in his discretion he shall consider expedient.
- 16.4** If a Member does not leave the meeting after a resolution to that effect, the Chief Executive or most senior Officer present, shall arrange for the removal of the Member and shall take such measures as may be necessary to prevent the Member from re-entering the meeting.
- 16.5** In the event of general disturbance in the meeting rooms which the Chairman believes makes the due and orderly dispatch of business impossible, the Chairman in addition to any other power, may, without the need for the Council's approval, adjourn the meeting for such period as shall seem appropriate.

17 DISTURBANCE BY MEMBERS OF THE PUBLIC

17.1 If a member of the public interrupts the proceedings at a meeting the Chairman shall request that there be no further interruptions. If the interruptions continue the Chairman shall order the removal of the person interrupting from the room. If there should be general disturbance in any part of the room open to the public the Chairman may order that part to be cleared.

18 EXCLUSION OF THE PRESS AND PUBLIC

18.1 Press representatives and public shall withdraw from a meeting upon a motion being passed that the public be excluded from the meeting for the business specified on the grounds that if the public were present there would be a disclosure to them of "exempt" or "confidential" information as defined in the Local Government (Access to Information) Act 1985.

18.2 If an issue arises at a meeting as to the appointment, promotion, dismissal, salary, conditions of service or conduct of any identifiable employee of the Council, the Chairman shall move that the public be excluded during consideration of that matter because of the likelihood that exempt information (namely information relating to a particular employee, former employee or applicant to become an employee of the Authority) would be disclosed to the public. The motion shall be determined without seconding before the question is further considered.

18.3 For the purposes of this Standing Order "member of the public" and "public" shall mean all persons other than Members of the Council or of the Committee or Sub-Committee and the Officers or Consultants serving that meeting.

18.4 Normally all matters to be considered in the absence of the press and public shall be taken at the end of the meeting.

19 INTERESTS OF MEMBERS

19.1 If at a meeting any matter is being considered in which a Member is present and has either:-

- 1 an interest within the meaning of Section 94 of the Local Government Act 1972 as guided by the National Code of Local Government Conduct; or
- 2 a clear and substantial private or personal non-pecuniary interest as defined in the National Code of Local Government Conduct,

that Member shall, on declaring a clear and substantial interest, retire from the meeting room during the consideration of the matter unless:-

- 1 the disability has been removed by the Secretary of State for the Environment under Section 97 of the Local Government Act 1972 (in relation to pecuniary interests); or
- 2 the Code of Conduct provides such a dispensation (in the case of non-pecuniary interests); or
- 3 the item forms part of minutes submitted and dealt with as for information only; or
- 4 there is no discussion upon the matter.

20 INTERESTS OF OFFICERS

20.1 Any Officer of the Council present at a meeting when an item involving a disclosable interest is under consideration, shall draw the attention of the meeting to that interest.

20.2 A “disclosable interest” is an interest which, if the Officer were a Member of the Council, would need to be declared under Section 94 of the Local Government Act 1972.

20.3 No such duty shall arise regarding an item of business which merely relates in some way to the Officer’s contract of employment with the Council.

PART TWO

COMMITTEES

21 APPOINTMENT OF COMMITTEES

21.1 The Council shall at the Annual Meeting appoint such Committees as are required but:-

- 1 shall not appoint any Member of the Committee so as to hold office later than the next Annual Meeting of the Council, except that the Chairman and Vice Chairman of the Committees elected by the respective Committee, shall retain such Chairmanship or Vice-Chairmanship until they resign, are re-elected or are replaced at the first meeting of the Committee after the Annual Meeting of Council.
- 2 may at any time dissolve or create a Committee or alter its membership or functions.
- 3 Committee vacancies caused by Members resigning from the Council shall be filled by the newly elected Members from resultant bye-elections until the next meeting of the Council, taking into account the new Members' order or preference where appropriate.
- 4 In the event of two or more new Members being unable to agree on who should fill a particular committee vacancy, the matter shall be decided by the Chief Executive drawing lots in the presence of the Chairman and Vice-Chairman of the Council.

21.2 The Chairman and Vice Chairman of the Council shall be ex-officio members of all Committees with full voting rights, with the exception of the Standards Committee which shall have appointments made to it by election only

22 APPOINTMENT OF CHAIRMAN

22.1 Every Committee or Sub-Committee at its first meeting after appointment and annually at its first meeting following the Annual Meeting of the Council or of the Committee, shall, before proceeding to any other business, elect a Chairman for the ensuing year and a Vice-Chairman who shall preside in the absence of the Chairman.

22.2 The Chairman of any Committee or Sub-Committee shall be Members of the Council, not co-opted Members of the Committee or Sub-Committee under Standing Order 24.

22.3 In election years a series of short consecutive special meeting of each Committee will be held within three weeks of the Annual Meeting of the Council to elect a Chairman for the ensuing year, a Vice-Chairman who shall preside in the absence of the Chairman and to appoint any Sub-Committees or Working Parties considered appropriate.

23 APPOINTMENT OF SUB-COMMITTEES

23.1 A Committee may appoint executive Sub-Committees or non-executive Working Parties.

24 NON-ELECTED MEMBERS

24.1 Persons who have not been elected to the Council may be appointed to serve on the following:

- 1 Non executive working parties.
- 2 Committees or sub-committees whose functions include education, sea fisheries, social services or tourism.
- 3 The Duchy of Cornwall Land Steward may be appointed to serve on the Local Plan Sub-Committee.
- 4 The Duchy of Cornwall Harbourmaster may be appointed to serve on the Boating Sub-Committee.
- 5 The Standards Committee, as required by the Local Government Act 2000.
- 6 Local Authority tenants may be appointed to serve on the Housing Rents Sub-Committee.

24.2 The number of non elected members on each committee shall be decided by the Council.

- 24.3** The appointment of non elected members will be carried out by the committee unless directed otherwise by the Council or directed by legislation and with the exception of the Standards Committee which will have non elected members appointed to it by the Council.
- 24.4** Non elected members will not have voting rights unless authorised through legislation (ie Education Diocesan Representative, DEFRA representatives, IOSTA Tourism representatives, Standards Committee non elected member).
- 25 POWERS OF COMMITTEES AND SUB-COMMITTEES**
- 25.1** Subject to Standing Order 25.3, the Council may delegate to Committees such powers as they may think fit.
- 25.2** Any such delegation of powers may be revoked generally or in any particular instance.
- 25.3** The following items shall be reserved to the Council:-
- 1 setting the Council Tax base;
 - 2 setting the Council Tax (including the approval of Capital and Revenue estimates);
 - 3 borrowing powers;
 - 4 matters reserved to the Council by the Financial Regulations;
 - 5 matters of new principle affecting the Council as a whole, or having a common and continuous application in the spheres of responsibility of more than one Committee;
 - 6 promoting a private Bill; for approving legislation;
 - 7 making representations to any person or body that new or amended legislation is required, or making any application or proposals to obtain powers to do work entirely new;
 - 8 making bylaws;
 - 9 making, altering or revoking Standing Orders;
 - 10 adopting structure, local, area or action plans under the Town and Country Planning Acts;
 - 11 making Orders or determinations under the planning powers relating to:-
 - 1 comprehensive development areas;
 - 2 revocation, modification, or the discontinuation of the use of land or the removal of buildings or works;
 - 3 conservation areas;
 - 12 making decisions concerning electoral divisions or polling districts;
 - 13 giving approval to matters in respect of which approval is required by statute to be given by the Council;
 - 14 instituting new services, discontinuing or substantially altering the form, extent or quality of existing Council services;
 - 15 declaring the major objectives of the Council or major policies of the Council;

16 appointments to outside bodies;

17 liquor permits.

26 DELEGATION TO OFFICERS

26.1 The Council or a Committee or Sub-Committee may delegate any function to a named Officer either generally or in a particular instance.

27 QUORUM

27.1 No business shall be transacted at a meeting of a Committee or Sub-Committee unless at least one quarter of the total number of its elected Members are present.

27.2 In the case of the Committee in no case shall a quorum be less than three elected Members and in the case of a Sub-Committee the quorum shall be no less than two elected Members.

27.3 In the case of a Committee, Sub-Committee or Working Party whose membership includes co-optees, no business shall be transacted unless at least two elected Members of the Council are present.

28 SUMMONING OF MEETINGS

28.1 The Chief Executive shall summon a special meeting of a Committee or Sub-Committee at the request of its Chairman or of the Chairman of the principal Committee or of the Council.

28.2 A special meeting shall also be summoned on the requisition of a quarter of the elected membership of the Committee or Sub-Committee delivered in writing to the Chief Executive. In no case shall less than three elected Members requisition a special meeting.

The summons to the meeting shall set out the names of the elected Members requisitioning the meeting and the business to be considered and no other business shall be considered at that meeting.

29 RIGHTS TO ATTEND COMMITTEES

29.1 If the Chairman of a Committee is not available when the Policy and Resources Committee meets the Vice Chairman shall be entitled to attend the Policy and Resources Committee and to speak and vote.

29.2 That where a Councillor is Chairman of more than one Committee (other than Policy and Resources) he/she should choose to represent one of the Committees and should appoint his/her Vice-Chairman of the other Committee to represent those views at the Policy and Resources Committee.

29.3 A Member who does not serve on a particular Committee or Sub-Committee may attend and speak if invited to do so by the Chairman but not vote at a meeting:-

1 where an item of business has a particular effect upon the Parish represented by the Member; or

2 where an item of business has a particular effect on the Committee of which that Member is Chairman.

30 VOTING IN COMMITTEES

- 30.1 Voting at a meeting of a Committee or Sub-Committee shall be by show of hands.
- 30.2 In the case of an equality of votes, the person presiding at the meeting shall have a second or casting vote.
- 30.3 The provisions of this Standing Order and of Standing Order and of Standing Order 15.2 concerning the record of a Member's vote shall apply to all meetings of Committees or Sub-Committees.

31 DECISION OF COMMITTEES AND SUB-COMMITTEES

- 31.1 A decision of a Committee or Sub-Committee exercising delegated powers shall have effect only if a majority of Members present are elected Members of the Council. In any other case it shall act as a recommendation to the Council or the principle Committee.

32 APPLICATION OF STANDING ORDERS

- 32.1 Part one of these Standing Orders shall apply to meetings of the Full Council.
 - 1 Part Two together with the following Standing Orders in part one shall apply to meetings of Committees (subject to any necessary change in wording):-

3	4	6	7
8.11	8.12	11	12.3
13	15	16	17
18	19	20	

PART THREE
ADMINISTRATION

33 APPOINTMENT OF STAFF

- 33.1** Canvassing of a Member of any Committee or the Council directly or indirect for any appointment under the Council shall disqualify the candidate for such appointment.
- 33.2** A Member shall not solicit for any person any appointment under the Council or recommend, except when the appointment is being discussed in Committee or Council, any person for such appointment or for promotion. This shall not, however, preclude a Member from giving written testimonial of a candidate's ability, experience or character for submitting to the Council with an application for appointment. A Member giving such a testimonial shall take no part in the appointment process.
- 33.3** Candidates for any appointment under the Council shall, when making applications, disclose in writing to the Chief Executive whether to their knowledge they are related to any Member of, or the holder of, any senior officer under the Council. A candidate who fails to do so shall not be appointed and if appointed before the relationship is discovered, shall be liable to dismissal without notice.
- 33.4** Where relationship to a Member or senior Officer of the Council is disclosed, that person shall not take part in any proceedings in connection with the appointment.
- 30 -
- 33.5** The purport of Sections 1 to 4 of this Standing Order shall be included in any advertisement inviting applications for appointments or in any application form.
- 33.6** Where it is proposed to appoint a Chief Officer or Deputy Chief Officer and it is not proposed that the appointment be made exclusively from the existing Officers, the Council shall:-
- 1 draw up a statement specifying – (1) the duties of the Officer concerned and (2) any qualifications or qualities to be sought in the person to be appointed;
 - 2 make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
 - 3 make arrangements for a copy of the statement mentioned in paragraph 1 to be sent to any person on request.
- 33.7** Where a post has been advertised as provided in Standing Order 33.6 the Council shall select a short list of such qualified applicants and interview those included on the short list.
- 33.8** Where no qualified person has applied, the Council shall make further arrangements for advertisements in accordance with Standing Order 33.6.
- 33.9** Appointments of a Chief Officer or a Deputy Chief Officer shall be made by a selection panel of elected Members of the Council.

34 DISCIPLINARY ACTION

(Extracted from Schedule 3 of Local Authorities (Standing Orders) (England) Regulations 2001)

- 34.1** "1 In paragraph 2, "Chief Finance Officer", "Council Manager", disciplinary action", head of the authority's paid service" and "monitoring officer", have the same meaning as in regulation 2 of the Local Authorities (Standing Orders) (England) Regulations 2001 and designated independent person" has the same meaning as in regulation 7 of those regulations."
- 34.2** "2 No disciplinary action in respect of the head of the authority's paid service (unless he is also councils manager of the authority), its monitoring officer or its chief finance officer, except action described in paragraph 3 may be taken by the authority, or by a committee, a sub committee, a joint committee on which the authority is represented or any other person acting on behalf of the authority, other than in accordance with a recommendation on a report made by a designated independent person under regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001 (investigation of alleged misconduct)."
- 34.3** "3 The actions mentioned in paragraph 2 is suspension of the officer for the purposes of investigating the alleged misconduct occasioning the action; and may such suspension must be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect."

(Amended by Full Council 13.12.01)

35 COMMON SEAL

- 35.1** The Common Seal of the Council shall be in the custody of the Chief executive and kept in some safe place. It shall not be affixed to any document unless the sealing has been authorized by a resolution of the Council or a Committee or Sub-Committee to which the powers of the Council in relation to the subject matter of the document has been delegated, but such a resolution shall be sufficient authority for sealing any document.
- 35.2** **Affixing of the Common Seal to any document shall be attested by the Chief Executive and an entry of the sealing shall be made in a book provided for that purpose and signed by the Chief Executive.**

PART FOUR

GENERAL

36 ABSENCE OF CHIEF EXECUTIVE

36.1 In the absence of the Chief Executive his/her function under the Standing Orders shall be dealt with by his/her deputy or in the case of Committee meetings the most senior Officer present.

37 ALTERATION OR REVOCATION OF STANDING ORDERS

37.1 The preceding Standing Orders shall not be revoked or altered except at a meeting of the Council upon the report of the Policy and Resources Committee, or upon notice of motion given at the immediately preceding meeting and specifying any alteration proposed to be made.

38 SUSPENSION OF STANDING ORDERS

38.1 Subject to paragraph 2 of this Standing Order any of these Standing Orders may be suspended so far as regards any business at the meeting where its suspension is moved.

23 A motion to suspend Standing Orders shall not be moved without notice (ie under Standing Order No 6.1.12) unless at least one half of the whole number of Members of the Council are present.

39 STANDING ORDERS TO BE GIVEN TO MEMBERS

39.1 A printed copy of the Standing Orders, and of such statutory provisions as regulate the proceedings and business of the Council shall be given to each Member of the Council by the Chief Executive upon delivery to him of the Member's declaration of acceptance of office on first being elected to the Council.

40 INTERPRETATION OF STANDING ORDERS

40.1 The ruling of the Chairman of the Council or of the appropriate Committee or Sub-Committee on any question under the Standing Orders shall be final and shall not be open to discussion.

41 ACTION BETWEEN MEETINGS

41.1 Between meetings of the Authority, the appropriate Chief Officer may deal with and take action on matters which are within a committee's Terms of Reference and which are urgent or due to an emergency (please see Financial Regulation 55.4 for action relating to finances). This action can be taken provided there is full consultation with any other Chief Officer whose functions or responsibilities are affected by the proposed action, and with the appropriate committee Chairman and Vice-Chairman (there shall be at least two Members). The action taken shall be reported for information to the next ordinary meeting of the appropriate committee.