

Part 4

Section 4

General Procedure Rules

1. Interests of Councillors

- 1.1 If a Councillor has any pecuniary interests (within the meaning of the Councillors' Code of Conduct) in any matter, that Councillor will declare an interest and leave the meeting while the meeting considers it, save that if it is a meeting where the public is allowed to speak, then the Councillor may also speak but must leave the meeting immediately afterwards. Where a dispensation has been granted by the Audit & Governance Committee or the Monitoring Officer, the Councillor may participate and vote.
- 1.2 Councillors will give notice to the Monitoring Officer of all their respective interests under the Councillors' Code of Conduct.
- 1.3 Members of the public will be able to inspect the Register kept by the Monitoring Officer under Section 81 of the Local Government Act 2000 during normal office hours.
- 1.4 If a Councillor has a non-pecuniary interest under the Councillors' Code of Conduct they will declare the interest in accordance with the requirements of the Code of Conduct.
- 1.5 If a Councillor has declared a pecuniary interest at a meeting and has left the meeting while the item is considered the Councillor will be called back once the item has been dealt with.

2. Officers' interest in contracts

- 2.1 The Monitoring Officer will record in a special book any notice an officer gives under Section 117 of the Local Government Act 1972 of a financial interest in a contract. The book will be open during office hours for the public to inspect.

3. Sealing documents

- 3.1 The Council will not attach its common seal to any document unless the sealing has been authorised in accordance with this Constitution.

4. Authority to sign documents

- 4.1 The Chief Executive, the Chief Operating Officer, the Operations Manager for Legal Services or any solicitor authorised by him/her can sign on behalf of the Council:
 - (a) any contract (without the seal); and

- (b) any document which that officer considers is proper and necessary to give effect to a resolution;

as long as nothing in this paragraph prevents any other person from being authorised to sign the document, where this Constitution allows.

5. **Contracts**

- 5.1 The Chief Executive, the Chief Operating Officer, or Head of Service can approve any action and/or expenditure in respect of contracts provided that the action and/or expenditure is:
 - (a) contained within an approved capital or revenue budget;
 - (b) not contrary to the Council's budget or major policy framework; and
 - (c) in accordance with Contract Regulations and Financial Regulations

6. **General authority of the Operations Manager for Legal Services**

- 6.1 If the Council has to issue any document in legal proceedings, the Operations Manager for Legal Services may sign it unless someone else is authorised to do so by this Constitution.
- 6.2 The Operations Manager for Legal Services has the authority to take all legal proceedings on behalf of the Council unless someone else is authorised to do so by this Constitution.
- 6.3 The Operations Manager for Legal Services has the authority to defend all legal proceedings brought against the Council and to take any steps he or she considers necessary to do this.

7. **Monitoring Officer**

- 7.1 Each Head of Service will immediately tell the Monitoring Officer of any proposal, decision or omission connected to their service area which may lead to a report to the Council by the Monitoring Officer under Section 5 of the Local Government and Housing Act 1989.

8. **Suspending and amendment of Council Procedure Rules**

- 8.1 All of the Council Rules of Procedure except:
 - (a) Rule 8.4 Section 1 (Right to require individual vote to be recorded);

- (b) Rule 2.4 Section 3 (No requirement to sign minutes of previous meeting at extraordinary meeting);
- (c) Section 5 (Access to Information Procedure Rules) may be suspended by motion on notice or without notice if at least one half of the whole number of members of the Council are present. Suspension can only be for the duration of the meeting.

9. Interpretation of procedure rules

- 9.1 The Mayor's ruling on how to apply these procedure rules will not be challenged at any meeting. His or her interpretation will be fully recorded in the Minutes.

10. Procedure rules to be given to Councillors

- 10.1 The Chief Executive will provide each Councillor with details of how to access the Constitution.

11. General

- 11.1 Any Councillor wishing to raise a matter at a Committee must notify the Monitoring Officer giving sufficient details not less than ten working days before each meeting to enable the Monitoring Officer to give adequate notice to the public and the press.
- 11.2 Where the Council, Committee or Sub Committee decides upon a particular course of action which later seems inappropriate, the relevant Head of Service shall report upon the circumstances to the relevant Committee or Sub Committee or to full Council.
- 11.3 The Head of Resource Management shall arrange for each Committee or Sub Committee periodically to be informed of the present position on reports which the Committee or Sub Committee have requested about major matters. Where an officer has been requested by a Committee to submit a report on a major matter, that officer shall, unless it is intended to report to the next meeting, supply to the Head of Resource Management information on the current position of the compilation of the report, setting out where necessary, the reasons for any delay in the submission of a report.