

## **Divisions Affected - All**

### **COUNCIL 30 JUNE 2026**

## **REPORT FROM AUDIT AND GOVERNANCE COMMITTEE - PROPOSED AMENDMENTS TO THE CONSTITUTION**

### **Report by the Director of Law & Governance and Monitoring Officer**

#### **RECOMMENDATION**

1. Council is **RECOMMENDED** to:
  - a) Approve the proposed amendments to the Council's Constitution as recommended by the Constitution Working Group and Audit and Governance Committee, as set out Appendix 1, including amendment number 11;
  - b) Note the amendments undertaken by the Director of Law and Governance and Monitoring Officer, in accordance with Part 7.2 of the Constitution (Scheme of Delegation to Officers), paragraph 6.4 (t) and considered by the Constitution Working Group and Audit and Governance Committee; as set out in Appendix 2;
  - c) Request the Director of Law and Governance and Monitoring Officer to ensure the necessary changes are made; and
  - d) Note that a final edit of the Constitution covering layout and grammar will be undertaken prior to publication.

#### **Executive Summary**

1. Following the re-establishment of the Constitution Working Group (CWG), four meetings of the CWG were held to discuss proposed changes and improvements to the Constitution. Meetings of the CWG were held on 2 February, 6 March, 16 and 28 April 2026, respectively. The findings and recommendations for those sessions have been considered by Audit and Governance Committee. A progress update report was considered on 11 Mar 2026. The list of changes was considered and endorsed for submission to Council by Audit and Governance Committee on 20 May 2026.
2. This report sets out the findings and conclusions of those discussions and seeks the approval of Council so that the necessary changes to the Council's Constitution can be made. The details of which are set out in Appendices 1 and 2.

## Report

3. On 26 November 2025 Audit and Governance Committee agreed to re-establish the Constitution (Member) Working Group. It was reported to that meeting that the Council has a duty to keep its Constitution under review and that one would be undertaken. The review covered the relevant codes and protocols, the procedure rules for committees, as well as general corrections, updates, amendments, and any developments required to the Constitution following legislative changes and arrangements. Given a Constitution Working Group had previously served as a vital forum for cross-party engagement and consensus-building on matters relating specifically to the review and updating of the Council's Constitution, the working group was re-established with cross-party support.
4. CWG has considered a number of changes and suggestions, with time built for Party Group discussions and feedback. These include recommendations made by the Director of Law & Governance and Monitoring Officer as well as suggestions from Members. The changes from the Director of Law & Governance and Monitoring are set out in Appendix 2, and provide clarity to content, update memberships and descriptions as well as some committee terms of reference, through to correcting grammatical and formatting anomalies. It should be noted that the Director of Law & Governance and Monitoring Officer has delegated authority to undertake such changes. This authority is set out in Part 7.2 of the Constitution (Scheme of Delegation to Officers), paragraph 6.4 (t); which states the Director of Law & Governance and Monitoring Officer is authorised to:

“make textual amendments to the Constitution to address any inconsistencies or correct any cross-referencing errors arising from or as a consequence of the amendments, along with updating job and group titles if those referred to in the Constitution are obsolete (insofar as the Director of Law & Governance and Monitoring Officer does not already have such a delegation);”.
5. In view of the Monitoring Officer's delegation, a number of the amendments have already been made to the Constitution. Appendix 2 lists those changes in order to provide transparency.
6. The CWG also considered a number of more significant changes which, required Member consideration prior to submission to Council for final approval. These relate to changes to the Council's Key Decision arrangements, as set out in Appendix 1.
7. The Key Decision definition has been revised to simplify the arrangements. Additional text has been included to explain the process for dealing with key decisions and the publication of decisions. The Council's management structure has been updated, as set out in Part 7.1 of the Constitution. In Part 7.2, the Officer Scheme of Delegation has been strengthened to cover technical issues as well as to provide transparency on the powers delegated to officers.

8. CWG considered a number of matters associated with Council meeting arrangements. These include the number of motions and the order, the petition scheme, as well as Council meeting start and finish times. The time allocated to guest speakers was also discussed. These are set out in Appendix 1, amendments 7, 8, 9 and 10. Whilst the CWG was of the view that it was appropriate to bring the start time of Council forward, the consensus was that the finish time should not be changed. CWG was of the view that the time allocation for individual items on the Council agenda as currently adopted, should remain the same, noting the Chair's discretion. It was agreed that these measures, as well as a general commitment to focus the debate, would provide Council with sufficient time to work through its business. The change to the order of Party Group motions as they appear on the Council agenda, reflects current convention, which is by way of rotation. In the event that not all the Party Group motions listed on the Council agenda are considered, a new approach is proposed to the order of motions as they appear on the Council agenda. This is covered in more detail in paragraph 10 below.
9. The changes set out in the attached Appendices 1 and 2, include summary comments explaining the rationale behind the proposed changes. More detailed changes are attached as separate Annexes to Appendix 2. Annexes 1-4 are extracts from the relevant sections of the Constitution and show the changes in a tracked change format.
10. Unfortunately, one of the proposed changes was inadvertently omitted from the Audit and Governance Committee agenda on 20 May 2026. This relates to the order of Group Motions and how they appear on the Council agenda. It suggests that in the unlikely event that not all the group motions are considered, the order of rotation will commence with the group whose motion was due to be discussed next. This was accepted by CWG. Whilst Audit and Governance Committee did not formally consider that change, all members of Audit and Governance Committee have been notified, and no objections have been received. This change can be found in Appendix 1, amendment number 11.
11. It should be noted that prior to publication of the Constitution, the content will be fully reviewed for grammar and layout. This approach was supported and welcomed by the CWG.

## **Financial Implications**

12. There are no direct financial implications directly relating to, or arising from, the recommendations in this report.

Checked by: Drew Hodgson

Strategic Finance Business Partner – Resources, FRCS and  
TDCE

## Legal Implications

13. The recommendations set out in this report are consistent with the Council's duty under Section 9P of the Local Government Act 2000 to have a constitution and to keep it up to date. The Constitution must contain (a) a copy of the authority's standing orders, (b) a copy of the authority's code of conduct (if any) under section 28 of the Localism Act 2011 and (c) such information as the Secretary of State may direct, and (d) such other information (if any) as the authority considers appropriate.
14. The Council's Constitution must comply with The Local Government Act 2000 (Constitutions)(England) Direction 2000 issued on 12 December 2000 by the then Secretary of State for the Environment, Transport and the Regions. Part 1.2 of the Council's Constitution at 2(a) confirms that adopting and changing the Constitution is reserved for approval by the Council.

Checked by: Jay Akbar  
Head of Legal and Governance Services (Deputy  
Monitoring Officer)

## Equality & Inclusion Implications

15. The recommendations in this report do not in themselves raise equality implications. However, keeping the Constitution up to date is important to its accessibility. The recommendation for bringing forward proposals for reviewing the Constitution recognises that any such proposals would involve consultation with elected members. Furthermore, as part of the review officers are currently reviewing the guidance provided on the Council's website in relation to public engagement in the Council's formal decision-making arrangements.

**Anita Bradley**  
**Director of Law & Governance and Monitoring Officer**

Background papers: None

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