

Divisions Affected - All

AUDIT AND GOVERNANCE COMMITTEE

21 September 2022

CONSTITUTION WORKING GROUP

Report by Director of Law and Governance

RECOMMENDATION

1. The Committee is RECOMMENDED:

- (a) To agree that the Cross Party Constitution Working Group that it established on 15 September 2021 should continue its work;
- (b) To agree that the Constitution Working Group should continue to comprise 3 Liberal Democrat – Green Alliance members, 3 Labour members, 2 Conservative members and 1 Independent member; and
- (c) To ask the Constitution Working Group to produce a report with further recommendations for amendment of the Council's Constitution for the Committee's consideration.

Executive Summary

2. The Cross Party Constitution Working Group ("the CWG") held nine meetings between November 2021 and July 2022 and its members were Cllr Susanna Pressel (Chair from November 2021 to May 2022) and Cllr Brad Baines (Chair from June to July 2022), Cllr Roz Smith (Deputy Chair) and Cllrs Mark Lygo, David Bartholomew, Robin Bennett, Yvonne Constance, Ted Fenton, Stefan Gawrysiak and Bethia Thomas (with substitutions when members were unable to attend meetings).
3. The CWG produced a report for the Committee's meeting on 20 July 2022. The report made recommendations for updating the presentation of the Constitution on the Council's website and for incorporating the Articles into the main body of the Constitution, as well as for updating the Protocol on Members' Rights and Responsibilities (Part 9.2), the Protocol on Member/Officer relations (Part 9.6), the Council Procedure Rules (Part 3.1) and the Contract Procedure Rules (Part 8.3). These recommendations were all accepted by the Committee.
4. There were a number of sections of the Constitution that the CWG did not have time to review before reporting. These included the Cabinet Procedure Rules (Part 4.2), the Overview and Scrutiny Procedure Rules (Part 6.2) and the Financial Procedure Rules (Part 8.2). Members of the CWG wanted to review these sections after receiving and considering technical input from Officers and

to spend more time reviewing the Council Procedure Rules, as they felt a number of the provisions in the Council Procedure Rules required review.

5. It is advised that as the Council is required by the Local Government Boundary Commission for England (LGBCE) to undertake an electoral review that the CWG's work should commence following the date for submission to the LGBCE of the number of Councillors on 5 January 2023. .

Financial Implications

6. The recommendations in this report have no direct financial implications for the Council.

Comments checked by:

Ian Dyson, Assistant Director of Finance ian.dyson@oxfordshire.gov.uk

Legal Implications

7. The recommendations in this report are consistent with the Council's duty under Section 9P of the Local Government Act 2000 to have a Constitution and keep it up to date.

Comments checked by:

Richard Hodby, Solicitor richard.hodby@oxfordshire.gov.uk

Staff Implications

8. There are no direct staff implications arising from this report.

Equality & Inclusion Implications

9. The CWG has attempted to remove non-inclusive language from the Constitution and to improve the clarity and accessibility of the Constitution.

Risk Management

10. There are no direct risk management implications arising from this report.

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Director of Law and Governance

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16 SEPTEMBER 2022

