

**Audit & Governance Committee
Wednesday, 20 May 2026**

Constitution Working Group Report – Item 12

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AUDIT AND GOVERNANCE COMMITTEE 20 MAY 2026

CONSTITUTION WORKING GROUP REPORT

Report by the Director of Law & Governance and Monitoring Officer

RECOMMENDATION

1. The Audit and Governance Committee is **RECOMMENDED** to:
 - a) Endorse the proposed amendments to the Council's Constitution as recommended by the Constitution Working Group; and
 - b) Recommend Council to formally approve the proposed changes to the Council's Constitution and to request the Director of Law and Governance and Monitoring Officer to ensure the necessary changes are made; and
 - c) Note that following changes to the Senior Management Structure further amendments are being made to the Officer Scheme of Delegation to reflect the new structure. These amendments will be completed prior to the Council meeting scheduled for 30 June 2026.

Executive Summary

1. Following the re-establishment of the Constitution Working Group (CWG), four meetings have been undertaken with the CWG 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.
2. This report sets out the findings and conclusions of those discussions and requests Audit and Governance Committee to recommend to Council the formal adoption of the changes to the Council's Constitution, as 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. The review covered all of 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. Since that time, the CWG has reviewed and considered a number of changes. 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 A, provide clarity to content, update memberships and descriptions, through to highlighting some other 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 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 amendments have already been made to the Constitution. Appendix 1 lists the changes to provide transparency.
6. The CWG also considered a number of other 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 (Appendix 2) and the Officer Scheme of Delegation, where work is currently ongoing, as well as changes to the Council’s petition scheme, clarity on guest speakers and contact between Members and officers.
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 will be updated, as set out in Part 7.1 of the Constitution. At Part 7.2, the Officer Scheme of Delegation, will also be revised to cover technical issues as well as to provide transparency on the powers delegated to officers. These amendments will be completed prior to the Council meeting scheduled to take place on 30 June 2026. Members of the CWG will be kept updated and a verbal update will be provided at the meeting.
8. The CWG debated a number of issues associated with Council meeting arrangements. These included the number of motions and order, as well as Council meeting start and finish times. The time allocated to guest speakers was also discussed. These are set out in Appendix 2, items 7, 9, 10 and 11. 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. The CWG was of the view that the time allocations 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 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 of the Party Group motions listed are considered at the meeting, a new approach is proposed to the order of motions as they appear on the Council agenda.

9. The changes set out in the attached Appendices, are presented in a format to provide clarity to the information given. Summary comments are included in Appendices 1 and 2, so as to explain the rationale behind the proposed changes.
10. 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.
11. The target date for approval of all the proposed changes to the Council's Constitution by Council is 30 June 2026.

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.
15. 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

16. 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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April 2026