

AUDIT AND GOVERNANCE COMMITTEE
11 MARCH 2026

UPDATES ON THE CONSTITUTION WORKING GROUP

Report by the Director of Law & Governance and Monitoring Officer

RECOMMENDATION

1. **The Audit and Governance Committee is RECOMMENDED to:**
 - a) **Note progress with the changes to the Council's constitution, which will be reported to Council on 30 June 2026; and**
 - b) **Comment as it sees fit**

Executive Summary

2. Following the re-establishment of the Constitution Working Group (CWG), two sessions have been held to discuss changes and potential changes to the Constitution. Meetings of CWG were held on 2 February and 6 March 2026, respectively. This report provides an update with progress.

Report

3. On 26 November 2025 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. This includes all relevant codes and protocols, and the procedure rules for committees, as well as corrections, updates, amendments, and developments to the constitution. Given a Constitution (Member) 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 decision to re-establish the working group was taken.
4. At the first meeting of the CWG on 26 February 2026, a number of proposed changes were submitted by the Director of Law & Governance and Monitoring Officer. These changes covered a range of issues and were primarily focused on providing clarity to sentences, updating memberships and descriptions, such as Cabinet, for example; as well as highlighting some other grammatical and formatting issues. CWG was reminded that for these types of changes the Director of Law & Governance and Monitoring Officer had delegated authority as set out in the Constitution. This provision 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. CWG was also informed of a small number of other changes which required the approval of CWG and subsequently Audit and Governance Committee and finally Council. These recommended changes cover the responsibilities for Council, in that the appointment of Honorary Aldermen and the granting of Freedom of the County is currently not highlighted. Additionally, changes to the petition scheme, clarity on guest speakers and contact between members and officers were also recommended. At the time of drafting, comments from the respective Party Groups were awaited on these matters and are due to be discussed at CWG on 6 March 2026. These comments, and any other proposed changes, will be discussed and evaluated ahead of their submission to Audit and Governance Committee and Council.
6. The target date for sign-off by Council to all the proposed changes to the Council’s Constitution is 30 June 2026. A detailed report ahead of Council’s approval will be submitted to Audit and Governance Committee meeting scheduled for 20 May 2026.

Financial Implications

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

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Legal Implications

8. 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 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.
9. The Council’s Constitution complies 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.

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Equality & Inclusion Implications

10. The recommendations in this report do not 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, public engagement at Council will no doubt form part of considerations, ensuring that the views of the wider community are included in the review process.

Anita Bradley
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Background papers: None

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