

List of recommended additional changes for approval

Oxfordshire CC Constitution

The following suggested changes are recommended to provide clarity to the Constitution.

No	Part	Change	Comments	
Part 1 The Constitution				
1	Part 1.2, paragraph 2 Table 2.A How Oxfordshire County Council operates	Plan/strategy Local Development Scheme and Development Plan Documents (including Minerals and Waste) Minerals and Waste Plan	Statutory basis Section 15 CB Planning and Compulsory Purchase Order Act 2004	Required a result of changes made by the Levelling Up and Regeneration Act 2023, which have only recently come into effect
Part 3 Council				
2	Paragraph 1, 1.1.2 (iv) Annual Meeting of Council and the same change in Ordinary Meetings Paragraph 2.2 (ii)	approve the minutes of the last meeting. and receive for information any matters arising from them	To consider matters arising from the minutes would be contrary to the Local Government (Access to Information) Act 1985 (as now incorporated into the Local Government Act 1972).	

No	Part	Change	Comments
3	Paragraph 3, 3.1 (iv) and Remove existing (v) Extraordinary Meetings	any ten five Members of the Council if they have signed a requisition presented to the Chair of the Council and they have refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition at least one third of the Members of the Council if they have signed a requisition presented to the Chair of the Council to move a motion for the removal of the Leader of the Council.	Makes the position legally compliant, in accordance with the LG Act 1972.
Part 4 Cabinet			
4	Part 4.1, Paragraph 3 Leader	The Leader will be a Councillor elected by the Council to that position. This will normally be at the Annual Meeting following whole council elections which are held every four years . The Leader will hold office for the full four year remaining term of the Council unless: <ul style="list-style-type: none"> (a) they resign from the office; or (b) they are no longer a councillor; or (c) on the expiry date of their fixed term of office as Leader which is the date of the post-election annual meeting which follows their election as Leader; or (d) or they are removed from office by resolution of the Council. 	Makes the position legally compliant, in accordance with the LG Act 1972 and the Local Government Act 2000 as amended.

No	Part	Change	Comments
		<p>In the event that the circumstances in (a) to (c) above occur to create a vacancy in the office of leader of the council, an election to fill the vacancy will be taken at the next ordinary meeting of the Council or at an extraordinary meeting of the Council. In the case of (c) the election to fill the vacancy should occur, where possible, at the same meeting at which the resolution removing the leader is passed. The newly elected leader will remain in office for the remaining term of the Council subject to paragraphs 3(a) to (c).</p> <p>In the event of (d) above and the Council passes a resolution to remove the Leader, a new Leader is to be elected:</p> <ul style="list-style-type: none"> (a) at the meeting at which the Leader is removed from office; or (b) at a subsequent meeting; or (c) at an extraordinary meeting of the Council called for that purpose <p>The Leader may be removed from office by resolution of the Council on notice of a Motion to Council and approved, without amendment, by the Council. Any such Motion must be delivered to the Proper Officer in writing at least ten working days before the date of the meeting at which it is to be addressed. If the Council passes such a</p>	

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		resolution, a new Leader is to be elected in accordance with paragraph x (a) – (c) above.	
5	<p>New Paragraph 4</p> <p>Deputy Leader</p> <p>Re-number following paragraphs accordingly</p>	<p>The Leader will appoint at least one of the Cabinet Members as Deputy Leader, who will hold office until the end of the Leader’s term of office, unless they:</p> <ul style="list-style-type: none"> • resign as Deputy Leader, • cease to be a councillor; or • removed from office by the Leader. <p>Where a vacancy occurs, the Leader must appoint another Deputy Leader. The Deputy Leader must, if for any reason the Leader is unable to act or the office of Leader becomes vacant (and pending the election of a new Leader by the Council), discharge all roles and functions of the Leader. If, for any reason, both the Leader and Deputy Leader are unable to act or both positions become vacant, the Cabinet must act in the Leader’s place or must arrange for another Cabinet Member to act in their place.</p>	Makes the position legally compliant, in accordance with the LG Act 1972
6	<p>Existing 4, Renumber 5</p> <p>Other Cabinet Members</p>	<p>In addition to the Deputy Leader, the Leader will appoint a maximum of eight members to serve as Other Cabinet Members. The Leader will maintain and publish a list of portfolio responsibilities of the individual Cabinet Members, which will be shall be Councillors appointed by the Leader and notified to the Council. One of the other Cabinet Members will be designated as Deputy Leader. Cabinet Members will hold office until:</p>	Makes the position legally compliant, in accordance with the LG Act 1972.

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		(a) they resign from office; or (b) they are no longer councillors; or (c) they are removed from office by the Leader of the Council who must give written notice of any removal to the Proper Officer in writing or by e-mail. The removal will take effect two working days after receipt of notice by the Proper Officer.	
Part 7 Scheme of Delegation to Officers			
7	Part 7.1 Officers	Reflects the new officer structure	See Annex 1
8	Part 7.2 Scheme of Delegation to Officers	Provides clarity and reflects the new officer structure	See Annex 2
Part 9 Codes and Protocols			
9	Part 9.2, paragraph 7, 7 d (i) and (iii) Rights of Councillors to Place Items on an Agenda	notice of the request is received by the Proper Officer by 5.00 p.m. on the tenth twentieth working day before the meeting of a committee or sub-committee, to enable a report to be prepared;	To comply with the Local Government (Access to Information) Act 1985 (as now incorporated into the Local Government Act 1972).

Appendix 3

No	Part	Change	Comments
		the item will normally be for oral report unless 20 working days' prior notice is given to enable a report to be prepared.	