

#	Ref	Proposal and reasons	Proposed wording
1	All	<p><b>Proposal:</b> To change references to gender-specific pronouns throughout the Constitution to 'they' (or appropriate alternative).</p> <p><b>Background:</b> To ensure inclusivity, reflecting all gender identities.</p>	N/A
2	Part 1.4(b) Term of office of Cabinet Members	<p><b>Proposal:</b> To add reference to Cabinet Member resignation from post as a possible end to term of office.</p> <p><b>Background:</b> To correct an omission.</p>	<p>Cabinet members hold office from when they are appointed by the Leader until:</p> <ul style="list-style-type: none"> <li>• They are removed by the Leader</li> <li>• <u>They submit their written resignation from their Cabinet role to the Leader</u></li> <li>• They stop being a councillor or</li> <li>• They are disqualified from being a councillor</li> </ul>
3	Part 2.4 Monitoring and reviewing the Constitution	<p><b>Proposal:</b> To include basic governance arrangements for the Constitution Working Group.</p> <p><b>Rationale:</b> To provide clarity for all around the process, without being overly prescriptive.</p>	<p>The Monitoring Officer will monitor and review the Constitution and may recommend changes.</p> <p><u>Where an annual review of the Constitution is undertaken, any changes recommended by the Monitoring Officer will be considered by a cross-party Constitution Working Group for recommendation to Council for adoption. The membership of the Constitution Working Group will be 8 members and adhere to political balance requirements. The Constitution Working Group will agree its own meeting dates and times and substitutes will be permitted.</u></p> <p><u>Where changes are recommended for standalone issues, the Monitoring Officer will submit a report to Council setting out the recommended change(s) for agreement without convening a Constitution Working Group meeting.</u></p>

4	Part 2.5 Changing the Constitution	<p><b>Proposal:</b> To include Part 3 Annex 1 as a section that can be changed to reflect amendments agreed by Cabinet.</p> <p><b>Rationale:</b> To clarify that amendments to the Annex are an executive function. Cabinet will subsequently be consulted on SJVG arrangements in order to clarify whether it is an executive sub-committee, second executive committee and to clarify the membership composition.</p>	<p>The Monitoring Officer can change the Constitution if it is to put right clerical mistakes or to make it follow the law. The Monitoring Officer can also change Part 4 (who carries out executive responsibilities) and Part 6 (roles of Cabinet members) to reflect the wishes of the Leader. <u>The Monitoring Officer may also change Part 3 Annex 1 to reflect amendments agreed by Cabinet.</u></p> <p>Any other changes must be agreed by Council after considering a report from the Monitoring Officer.</p>
5	Part 2.8 Publishing the Constitution	<p><b>Proposal:</b> To encourage online access of the Constitution by officers and members of the public, while stating that members of the public can request a paper copy but this service is chargeable.</p> <p><b>Rationale:</b> To reduce the amount of printing of copies of the Constitution and encourage access via the Council's website, supporting the Council's environmental aims.</p>	<p>The Monitoring Officer will keep an up to date version of the Constitution and publish it on the Council's website <u>and put paper copies in Council offices. A paper copy for reference only will be made available and remain in the Council offices. Additional paper copies may be made available to members of the public for personal use in exchange for the payment of a fee.</u></p>
6	Part 3.7 (new sub- section) The Council's companies	<p><b>Proposal:</b> To include arrangements/responsibility for appointments to the board of joint ventures.</p> <p><b>Rationale:</b> To clarify the Leader's position that appointments to boards of joint ventures is the responsibility of SJVG, as this is not currently clearly set out – joint ventures are different to companies as they do not have a 'Board of Directors'. The current terminology used is not relevant to joint ventures.</p>	<p><u>Boards of Joint Ventures</u> <u>Appointments to Boards of Joint Ventures is the responsibility of the shareholder(s). Those appointed hold a fiduciary duty to the Joint Venture, but at the same time are also accountable to the shareholder(s), and as such owe duties to both the Council and the Joint Venture.</u></p>
7	Part 3.7(f) The Council's companies - conflicts	<p><b>Proposal:</b> To strengthen the section on conflicts to include decision making i.e. Council decision makers shouldn't be the same individuals taking decisions for the companies.</p>	<p>As the Council and its companies are separate legal entities, care must be taken to ensure that conflicts of interest are avoided. When Council officers are asked to provide advice in a situation where the interests of the</p>

		<p><b>Rationale:</b> To clarify in which situations officers can/cannot act.</p>	<p>Council and the company are not entirely aligned, individual officers should be assigned to advise or represent one side or the other, but should not act for both. Officers in the senior management structure can authorise officers to undertake delegated functions (Part 4.4). Where an authorising officer has a conflict of interest another officer in the senior management structure, in consultation with the Head of Law and Governance and the Head of Financial Services, can authorise officers to undertake delegated functions as necessary.</p> <p><u>Where a Council officer is on a Company Board of Directors or the Board of a Joint Venture and there is a conflict in the interests of each party, that officer may only take a decision in respect of one of the parties and must not take a decision for both.</u></p>
8	<p>Part 4 (new annex) Who carries out executive responsibilities</p>	<p><b>Proposal:</b> To include a list of matters delegated by the Leader to individual Cabinet members (and date). Currently there is only one delegation to an individual Cabinet Member.</p> <p><b>Rationale:</b> To ensure this is recorded clearly in a place which is easily accessible for reference.</p>	<p><i>To include the following delegation, and any future general delegations to individual Cabinet Members, in an annex (note – this is not a new delegation):</i></p> <p><b><i>Property Investment Portfolio Analysis and Strategy Report</i></b> <i>Cabinet resolved at its meeting on 19 December 2019 to note that the Leader will delegate the authority for decisions in relation to individual property transactions to the Cabinet Member for Finance and Asset Management.</i></p>
9	<p>Part 4.5 (new bullet point) Decisions which must be agreed</p>	<p><b>Proposal:</b> To include a reference to easements and the value/premium of easements which may be reserved to Cabinet.</p> <p><b>Rationale:</b> There is currently no reference to</p>	<p><u>Acquiring or disposing of easements with a value over £500,000 and/or rental value over £125,000 each year.</u></p>

	by Cabinet	easements within the Constitution, so this will clarify an identified grey area in terms of decision-making authority.	
10	Part 4.6 Delegation to single Cabinet Members	<p><b>Proposal:</b> To ensure wording around single Cabinet Member decisions complies with the law.</p> <p><b>Rationale:</b> Currently the Constitution provides for Leader's discretion to not publish for five clear working days, which does not align with the legislation.</p>	[...]Any decisions delegated to a single Cabinet Member shall only be taken having regard to a written report submitted to them by the relevant officer within the senior management structure including any advice from the Head of Financial Services and the Head of Law and Governance. The officer report will be published 5 clear working days before the decision is confirmed by the Cabinet Member <del>unless the consent of the Leader is given.</del>
11	Part 5.3(b) Planning – who carries out the responsibility?	<p><b>Proposal:</b> To correct a discrepancy between 5.3(b) (<i>bullet point 5 under responsibilities of Planning Committee</i>) and 17.3 (first section in table) in respect of when planning applications, which would normally be decided by the Head of Planning Services, can be called-in to be determined by the Planning Committee.</p> <p><b>Rationale:</b> Currently, the timescales set out in the two sections have a subtle but important difference, meaning there is scope for misinterpretation of the call-in deadline, which could leave the Council open to challenge. Officers' view is that the timescale set out in 17.3 is the clearer of the two and there is less scope for misinterpretation, so 17.3 should be reflected in 5.3(b) rather than the other way around. 17.3 relates to the date on which the application was included on the weekly list.</p>	<p>Deciding planning applications that would otherwise be decided by officers that have been called in by councillors <del>during the initial 21-day consultation period or during subsequent periods of consultation resulting from a significant change to material planning considerations</del> <u>by 5pm on the last day of the period of 21-days starting with the day on which notice of the application is sent to councillors (via the weekly planning list) (Part 17.3).</u></p> <p><u>In instances where there are significant changes to material planning considerations, as determined by the Head of Planning Services, after the initial notice of the application is sent to councillors via the weekly planning list, those applications should be re-notified as such to councillors via the weekly list. In instances such as these the period of 21-days would restart at the point at which the application is re-notified to councillors.</u></p>
12	Part 5.16 Other Council responsibilities	<b>Proposal:</b> To amend reference to 'Disciplinary Policy and Procedure' in the 'carried out by' column of number one in the table to remove the reference to	[...] Council sets collective terms and conditions, to include the Disciplinary Policy <del>and Procedure</del> , other than pay which is delegated to the Chief Executive to

		<p>'Procedure'.</p> <p><b>Rationale:</b> Only policies are required to go to Council as procedure is not part of collective terms and conditions. Reference to the procedure is unhelpful and causes confusion on the requirements for document submission to Council.</p>	<p>implement in respect of all staff, other than the Chief Executive's own pay and that of any Assistant Chief Executive and Executive Directors, in accordance with national or local pay award/review schemes</p>
13	Part 9.3(b) Role of Head of Paid Service	<p><b>Proposal:</b> To include provision for the Chief Executive to delegate urgency powers to an Executive Director in exceptional circumstances, when there is a conflict of interest which would preclude the Chief Executive from making the decision. Also to add reference to an <i>individual</i> or body which would normally be required to act.</p> <p><b>Rationale:</b> The Chief Executive's involvement in Council Joint Ventures could lead to a situation where the urgency powers cannot be used as the Chief Executive has a conflict of interest.</p>	<p>The Head of Paid Service is authorised to take any urgent action necessary to protect the Council's interests and assets where time is of the essence and it is impracticable to secure authority to act where such authority would otherwise be required.</p> <p>The Head of Paid Service, in so acting, will be guided by budget and the policy framework, will consult the other Statutory Officers before acting and will report, in writing, as soon as practicable to the <u>individual or body</u> which would otherwise have been required to give the necessary authority to act.</p> <p><u>In exceptional circumstances, where the Chief Executive has a conflict of interest which would preclude them from making the decision, the Chief Executive may delegate the decision to an Executive Director. Where the decision is delegated, the Executive Director will consult the other Statutory Officers before acting and will report, in writing, as soon as practicable to the individual or body which would otherwise have been required to give the necessary authority to act.</u></p> <p>Key decision procedures and call in procedures (Parts 15 &amp; 17) will apply to any key decisions taken under this authorisation.</p>
14	Part 11.6 Time and place	<p><b>Proposal:</b> To clarify that ordinary Council meetings, including the annual meeting, will normally start at 5pm</p>	<p>Ordinary meetings, <u>including the annual meeting,</u> usually start at 5.00 p.m <u>unless otherwise agreed by</u></p>

	of Council meeting	<p>and to include provision for a cut-off time for the conclusion of business at Council meetings.</p> <p><b>Rationale:</b> To align start dates for all ordinary Council meetings, noting that the annual meeting has previously been pushed back to 6pm due to Ramadan and in 2022 it started at 5pm. Provision of a cut-off time for meetings is included at other authorities and can be seen as a useful tool for the promotion of timely decision-making and debate.</p>	<p><u>Council. The annual meeting will usually start at 4.00 p.m.</u> The times of Special meetings are decided by the Chief Executive. Meetings are usually held in the Council Chamber in the Town Hall.</p> <p>For ordinary meetings, part 2 of the order of business as set out in 11.3 shall not commence before 7.00 p.m.</p> <p><u>Meetings shall conclude no more than four hours after the published start time.</u></p>
15	Part 11.11 Questions and statements by councillors	<p><b>Proposal:</b> To clarify at the start of the section that councillor statements and questions without notice and Member Questions on Notice should not be directed to or answered by officers in the meeting; to include provisions for time limits for councillor questions and statements, including responses</p> <p><b>Rationale:</b> Council is a Member meeting, therefore questions must be directed to Members and there are provisions to provide a written response at a later date if a Member cannot answer a question at the meeting; there are currently no time limits set out for councillors; aligning time limits with those afforded to members of the public would offer parity.</p>	<p><u>Questions and statements by councillors may only be directed to and answered by councillors during the meeting. Questions cannot be directed to or answered by officers during the meeting, with the exception of questions relating to matters of the law and procedure, which must be asked through the Lord Mayor who will seek advice from the Monitoring Officer.</u></p> <p><u>Questions and statements by councillors cannot take longer than three minutes each unless the Lord Mayor agrees. Responses from councillors to whom a question or statement is directed cannot take longer than three minutes unless the Lord Mayor agrees.</u></p>
16	Part 11.12(a) Public addresses at Council	<p><b>Proposal:</b> To clarify where an address is heard on the agenda if it relates to a motion due for consideration later in the agenda.</p> <p><b>Rationale:</b> It is not currently clear where addresses relating to motions should be heard, therefore the Constitution would benefit from being explicit that they</p>	<ul style="list-style-type: none"> <li>• Subject to 11.12(b) addresses will be taken in the order in which they are received by the Head of Law and Governance but at two points in the order of business, namely: <ul style="list-style-type: none"> <li>○ If the address relates to a matter for decision at the meeting, during Part 1 of the order of business (11.3 (g))</li> </ul> </li> </ul>

		be heard in Part 2.	<ul style="list-style-type: none"> <li>○ If the address does not relate to a matter for decision at the meeting, during Part 2 of the order of business (11.3 (n))</li> <li>○ <u>If the address relates to a motion on notice for consideration at the meeting, during Part 2 of the order of business (11.3(n))</u></li> </ul>
17	Part 11.12(e) Addresses by the public - notice	<p><b>Proposal:</b> To include provisions for a member of the public withdrawing their address from the meeting.</p> <p><b>Rationale:</b> There are currently no provisions for this set out in the Constitution. There was a recent request which highlighted the need for clarity.</p>	<p>The full wording of an address must be received by the Head of Law and Governance by 5.00 p.m. at least three clear working days before the Council meeting. <u>Members of the public who submit an address may withdraw it from consideration at the meeting, provided they notify <a href="mailto:democraticservices@oxford.gov.uk">democraticservices@oxford.gov.uk</a> by 12noon on the day of the meeting that the address is due to be heard at. Before consideration of that item, Council will be informed that the address has been withdrawn, which will be reflected in the minutes.</u></p>
18	Part 11.12(h) Addresses that are not about something that is for decision at the meeting	<p><b>Proposal:</b> To include a time limit for responding to public addresses.</p> <p><b>Rationale:</b> To ensure parity, as there is a time limit on those addressing Council</p>	<p>If an address is not about something that is for decision at the meeting, it will be referred to the Chief Executive without discussion. The Chief Executive will send a written reply within 10 working days after having it investigated by an officer or discussed by the Cabinet or a committee. But the Cabinet member may make a response to an address at the meeting <u>up to a maximum of three minutes</u> if they choose.</p>
19	11.13(a) Asking questions at Council	<p><b>Proposal:</b> To clarify where a question is heard on the agenda if it relates to a motion due for consideration later in the agenda.</p> <p><b>Rationale:</b> It is not currently clear where questions relating to motions should be heard, therefore the Constitution would benefit from being explicit that they be heard in Part 2.</p>	<p>Questions will be taken at two points in the order of business, namely:</p> <ul style="list-style-type: none"> <li>● If the question relates to a matter for decision at the meeting, during part 1 of the order of business (11.3(g))</li> <li>● If the question does not relate to a matter for decision at the meeting, during part 2 of the order of business (11.3(n))</li> </ul>

			<ul style="list-style-type: none"> <li>• <u>If the question relates to a motion on notice for consideration at the meeting, during Part 2 of the order of business (11.3(n))</u></li> </ul>
20	Part 11.13(b) Questions by the public - notice	<p><b>Proposal:</b> To include provisions for a member of the public withdrawing their question from the meeting.</p> <p><b>Rationale:</b> There are currently no provisions for this set out in the Constitution. There was a recent request which highlighted the need for clarity.</p>	<p>The full wording of the question and the name or position of the councillor to whom it is to be asked must be given to the Head of Law and Governance by 5.00 p.m. at least three clear working days before the Council meeting.</p> <p><u>Members of the public who submit a question may withdraw it from consideration at the meeting, provided they notify <a href="mailto:democraticservices@oxford.gov.uk">democraticservices@oxford.gov.uk</a> by 12noon on the day of the meeting that the question is due to be heard at. Before consideration of that item, Council will be informed that the question has been withdrawn, which will be reflected in the minutes.</u></p>
21	Part 11.13(d) Questions by the public – asking the question	<p><b>Proposal:</b> To include a time limit for responding to public questions.</p> <p><b>Rationale:</b> To ensure parity, as there is a time limit on those addressing Council</p>	<p>The Lord Mayor will ask the questioner to ask their question. The member asked the question will answer it either orally at the meeting (<u>speaking for a maximum of three minutes</u>) or by referring to the availability of a written answer at the meeting. If the questioner or the councillor to whom the question is addressed is not present, the Chief Executive will have a reply sent with 10 working days. This will be copied to the councillor who would have been asked the question.</p>
22	Part 11.14 Rejecting addresses and questions	<p><b>Proposal:</b> To include provisions for addresses and questions to be rejected where a similar one has been submitted in the last six months.</p> <p><b>Rationale:</b> To help ensure that addresses and questions submitted by Members and members of the public are not repetitive and that answers to previous similar questions have been considered prior to</p>	<p>The Head of Law and Governance can reject a public address or question or a question on notice by a councillor, and the Lord Mayor can reject an address or question without notice, if:</p> <ul style="list-style-type: none"> <li>• it is not about something the Council is responsible for or about something that directly affects people in the City or about a matter for decision at the meeting</li> </ul>



		submission.	<ul style="list-style-type: none"> <li>• it is defamatory, frivolous, trivial or offensive</li> <li>• it requires the Council to make public exempt or confidential information (Part 15.4)</li> <li>• it relates to individual personal circumstances</li> <li>• <u>a near identical question or address has been submitted in the last six months, whether or not by the same individual</u></li> </ul> <p>If an address or question is rejected by the Head of Law and Governance or the Lord Mayor reasons must be given.</p>
23	Part 11.15 Petitions to full Council	<p><b>Proposal:</b> To tighten up the section on petitions to Full Council.</p> <p><b>Rationale:</b> The current provisions are not as clear as they could be and would benefit from more detail.</p>	<p>A petition containing at least 1,500 signatures will be debated at Council if the petition organiser makes a request for a debate in writing directly to the Head of Law and Governance. <u>Debate on each petition is limited to 15 minutes in total. Any such petition must be debated individually and cannot be debated alongside any other item on the agenda.</u></p> <p>Requests must be sent in writing, accompanied by the petition, to Head of Law and Governance at least 3 weeks prior to the Council meeting. Any petition presented as part of an address (11.12) directly to Council and that contains at least 1,500 signatures will not be debated at that meeting but at the next ordinary meeting.</p> <p>Council will receive a report setting out the petition and the steps Council can take.</p> <p>The petition organiser may address Council upon the petition for up to five minutes before the debate upon the petition at that next ordinary meeting.</p> <p>If a Member wishes to put a substantive motion/recommendation on a petition they must let the Head of Law and Governance have that</p>

			<p>motion/recommendation by 10am on the working day before the Council meeting, <u>indicating that the motion/recommendation is submitted in respect of a petition</u>. These would then be published in the Council briefing note. <u>Any such motion/recommendation on a petition will be considered as part of the debate on the petition and will not affect the rotation between the different political groups in relation to the order of Motions on Notice at each meeting</u>. Any amendments to these would have to be with Committee and Members' Services by 11.00am on the day of the meeting. <u>Following debate on the petition, Council must pass a resolution agreeing the action it wishes to take.</u></p>
24	Part 11.18(a) Giving notice of motions	<p><b>Proposal:</b> To include reference to the fact that Member engagement with officers prior to submission of motions is strongly encouraged so that implications can be determined beforehand; that motions are submitted by Group Leaders on the pro forma supplied by officers; and set out the timelines in which the Head of Law &amp; Governance will respond to submissions – including when final amendments must be submitted by if any amendments are requested by the Head of Law &amp; Governance.</p> <p><b>Rationale:</b> Feedback from officers suggests that motion generate a lot of additional work, but there is no engagement with them beforehand; officers have identified a requirement for clarity on the other points, as currently the Constitution is silent on these matters.</p>	<p>Some motions may be moved without notice. These are listed at 11.19. For all other motions, with the exception of urgent cross-party motions, the full wording must be <u>set out within the pro forma for motions supplied by officers and emailed by Group Leaders to democraticservices@oxford.gov.uk or received from Group Leaders by the Head of Law and Governance by 1.00 pm at least seven clear working days before the meeting. The Head of Law &amp; Governance will review motions submitted after the submission deadline has passed and contact proposers by 5.00 pm at least seven clear working days before the meeting to confirm whether their motion is accepted or requires changes in order to comply with the provisions set out in the Constitution. Where changes are required, the Head of Law &amp; Governance will provide advice on compliance to proposers and any changes must be emailed to <a href="mailto:democraticservices@oxford.gov.uk">democraticservices@oxford.gov.uk</a> by 10.00 am at least six clear working days before the meeting. If the motion,</u></p>

			<p><u>incorporating the changes, complies with the Constitution it will be accepted; any changes received after 10.00 am at least six clear working days before the meeting will be rejected and the motion will not be listed on the agenda.</u> These motions will be reproduced on the agenda for the meeting. Urgent cross-party motions supported in writing by all the Leaders of political groups on the Council may be submitted by 1.00 pm three working days before the Council meeting so that they may be circulated with the briefing note.</p> <p><u>Councillors are strongly advised to engage with the relevant service areas well in advance of the submission deadline for motions, to ensure that the implications of a motion, if carried, can be determined.</u></p>
25	Part 11.18(e) Motions on notice – time limits	<p><b>Proposal:</b> To clarify what happens when the 60 minute time limit for motions is over and Council is part way through a motion.</p> <p><b>Rationale:</b> The Constitution is currently silent on this and clarity is required.</p>	<p>There is a time limit of 60 minutes for dealing with all motions but no time limit for dealing with each motion. <u>Where the time limit for dealing with motions has elapsed but Council is part way through debate on a motion, debate on that motion will conclude after the current speaker's time limit has elapsed and Council will immediately move to a vote on that motion unless the Council passes a motion to extend the time limit under 11.19(k).</u></p>
26	Part 11.19(c) Motions without notice – change the order of business	<p><b>Proposal:</b> To remove reference to 'change order of business' under motions without notice</p> <p><b>Rationale:</b> Part 11.8 states that the Lord Mayor can ask Council to agree to change the order of business, so this is to remove a discrepancy.</p>	<p>There is no need to give notice of motions to:</p> <ul style="list-style-type: none"> <li>a. appoint a chair of the meeting</li> <li>b. agree or correct the minutes</li> <li><del>c. change the order of business</del></li> </ul>
27	Part 11.19(d) Motions without notice – refer	<p><b>Proposal:</b> To clarify/strengthen wording of the provision to refer something somewhere else</p>	<p>There is no need to give notice of motions to:</p> <ul style="list-style-type: none"> <li>a. appoint a chair of the meeting</li> <li>b. agree or correct the minutes</li> </ul>

	something somewhere else	<b>Rationale:</b> So that the Constitution more clearly outlines what this provision might mean	c. change the order of business d. refer something somewhere else ( <u>i.e. refer a matter to another Committee, where it falls within the remit of that Committee</u> )
28	Part 11.20 Rules of debate	<b>Proposal:</b> To clarify the rules of debate, including provisions for debating minor technical amendments and debating two similar motions together, with a separate vote on each. Clarity around right of reply and provisions for a member agreeing to an amendment on their motion (at what point)  <b>Rationale:</b> For clarity	(a) No speeches until motion moved and seconded No speeches can be made on a motion until it has been moved and seconded.  (b) Seconder's speech A councillor who formally seconds a motion or amendment can speak <u>immediately upon seconding that motion or</u> later in the debate.  (c) Contents and length of speeches Speeches (except for points of order and personal explanations (11.20(l) and 11.20(m)) must be about the item being discussed. Speeches will last a maximum of three minutes unless otherwise agreed.  (d) When a councillor can speak again A councillor who has already spoken in a debate cannot speak again except to: exercise their right of reply (11.20(i)) make a point of order (11.20(l)) make a point of personal explanation (11.20(m))  (e) Amendments to motions - relevance An amendment must be relevant to the motion and must be a proposal: <del>to refer a motion somewhere else</del> to add, replace or leave out words

Amendments to add, replace or leave out words must not negate the motion.

- (f) Amendments to motions (see also 11.18(f))  
Substantive amendments to motions must be submitted by 10.00 am on the working day before the Council meeting so that they may be circulated with the briefing note.  
Amendments to cross-party motions must be submitted by 10.00 am on the working day before the Council meeting so that they may be circulated with the briefing note and must be supported in writing by all the leaders of the political groups on the Council.  
Minor technical or limited wording amendments may be submitted during the meeting but must be written down and circulated.  
Minor spelling or grammatical amendments may be notified at the meeting and accepted without discussion at the Lord Mayor's discretion. They need not be written down and circulated.
- (g) Debate on amendments  
The Lord Mayor can allow two or more amendments to be discussed together. But they must be voted on separately.  
If any amendment is carried, the amended motion replaces the original motion. Any further amendments will be to the amended motion.  
If any amendment is not carried, any further amendments will be to the original motion.  
Where an amendment is submitted which the

proposer of the original motion wishes to accept, they may change their own motion without notice to reflect the amendment, in accordance with the provisions set out in 11.20(h).

Where a minor technical or limited wording amendment is submitted, it will be debated and voted on immediately before debate on the motion or amendment to which it relates. If any minor technical or limited wording amendment is carried, it will replace the original motion or original amendment and any further amendments will be to the motion or amendment, as amended. If any minor technical or limited wording amendment is not carried, any further amendments will be to the original motion or original amendment.

The same amendment cannot be moved twice.

(h) Councillor changing their own motion

A councillor can change a motion they have moved without notice if both the meeting and the seconder agree. The meeting will accept or reject the change without discussion by way of a vote.

The councillor can only make changes that could have been made as an amendment.

The councillor can only change their own motion to accept an amendment submitted and circulated with the briefing note, to propose a minor technical or limited wording amendment, or to make a minor spelling or grammatical amendment (see 11.20(f)).

(i) Right of reply

A councillor who moves a motion has a right to reply at the end of the debate, immediately before the vote.

If an amendment is moved, the councillor who moved the original motion has the right to reply at the end of the debate on the amendment immediately before the vote on the amendment but not before.

A councillor who moves an amendment has the right to reply immediately before the councillor who moved the original motion.

If an amendment to an amendment is moved, the councillor who moved the original amendment has the right to reply at the end of the debate on the amendment to the amendment immediately before the vote on the amendment to the amendment but not before.

A councillor who moves an amendment to an amendment has the right to reply immediately before the councillor who moved the original amendment.

(j) Motions that can be moved during debate

When a motion is being debated, no other motions can be moved except for the following procedural motions:

- to withdraw a motion
- to go to next business (11.20(k))
- to move to a vote (11.20(k))
- to adjourn the meeting or debate (11.20(k))

- to hold a meeting in private (when allowed under the access to information and key decision procedures (Part 15))
- to hear a councillor no further (11.24 (c))
- to exclude a councillor from the meeting (11.24 (d))

(k) Motions to end or postpone the debate

After a speaker has finished speaking any councillor can move to go to next business or propose to move to a vote or adjourn the debate or meeting. They must do this without comment. If a motion to go to next business is seconded and the Lord Mayor thinks the meeting has discussed the item enough, the mover of the original motion will have the right of reply. Council will then vote on whether to go to next business. If Council agrees to go to next business, the original motion will not be voted on and will not become a resolution of Council. The original motion will not be included on the agenda of the next ordinary meeting unless resubmitted by the proposer in accordance with 11.18(a).

If a motion to move to a vote is seconded and the Lord Mayor thinks the meeting has discussed the item enough, Council will vote on whether to take the vote on the original motion. If Council decides to take the vote, the mover of the original motion will have the right to of reply. Then Council will vote on the original motion without further debate. If a motion to adjourn the debate or meeting is seconded and the lord mayor thinks it is not



			<p>possible to give the item enough discussion at the current meeting, Council will vote on whether to adjourn. The mover of the original motion will not have the right of reply before this vote. <u>If carried, the debate will be adjourned and the item included on the agenda of the next ordinary meeting and will be subject to usual time limits and political group rotations, unless withdrawn by the proposer</u></p> <p>(l) Points of order A councillor can make a point of order at any time. The Lord Mayor will hear a point of order immediately. A point of order must be about the law or a Council procedure being broken. The councillor must say which law or procedure is being broken and how. The Lord Mayor will consider the Monitoring Officer's advice when deciding on a point of order and the Lord Mayor's decision will be final.</p> <p>(m)Points of personal explanation A councillor can give a personal explanation at any time. This must be about something they have said in the past that they feel is now being misunderstood or misrepresented. The Lord Mayor will have the final say over what counts as a personal explanation.</p>
29	Part 11.20(k) Rules of debate – motions to end or postpone	<b>Proposal:</b> To clarify what happens if debate is adjourned and the Lord Mayor does not think it is possible to discuss the item enough at the current meeting.	If a motion to adjourn the debate or meeting is seconded and the lord mayor thinks it is not possible to give the item enough discussion at the current meeting, Council will vote on whether to adjourn. The mover of the

	the debate	<p><b>Rationale:</b> This was raised at a Member briefing on motions and Council Procedure Rules – it was not clear when the adjourned item would be considered again.</p>	<p>original motion will not have the right of reply before this vote. <u>If carried, the debate will be adjourned and the item included on the agenda of the next ordinary meeting and will be subject to usual time limits and political group rotations, unless withdrawn by the proposer.</u></p>
30	Part 11.21 (new section) Voting	<p><b>Proposal:</b> To clarify the method of voting for reports which are just for noting.</p> <p><b>Rationale:</b> To ensure clarity on whether a proposer, seconder and vote is required; or just general assent.</p>	<p><u>Voting on reports where the recommendation is ‘to note’</u></p> <p><u>Where the recommendations of a report are for Council ‘to note’ its contents, there is no requirement for a proposer, seconder, or vote and Council may note the report via general assent.</u></p>
31	Part 14.5(a)(iv) Chair and Vice Chair	<p><b>Proposal:</b> To clarify that where there is only one candidate for chair/vice-chair, no vote is needed (but still proposed and seconded) and they are elected unopposed.</p> <p><b>Rationale:</b> To clarify that no vote is needed where a candidate is unopposed.</p>	<p>Where there are one or two nominations, the Chair will be elected by a majority of those present and voting. <u>Where there is one nomination, the nominee must be proposed and seconded but no vote is required; the Chair would be elected unopposed.</u></p>
32	Part 14.6 Meetings of committees	<p><b>Proposal:</b> To amend the section so that it also applies to meetings of sub-committees</p> <p><b>Rationale:</b> To amend an omission</p>	<p><u>Meetings of committees and sub-committees.</u></p> <p>(a) Cancelling or rescheduling a meeting If a committee has insufficient business for one of its fixed meetings, the Head of Law and Governance can cancel or reschedule it after consulting the chair of the committee <u>or sub-committee.</u> The Head of Law and Governance may cancel or reschedule a meeting in exceptional circumstances in consultation with the Chair, Group Leaders and the Chief Executive, if the agenda has not already been published.</p> <p>(b) Special meetings The Head of Law and Governance or the Chief</p>

			<p>Executive can arrange a special meeting after consulting the chair of the committee <u>or sub-committee</u>.</p> <p>Special meetings will only deal with the business they have been called to deal with.</p>
33	Part 14.6(a) Cancelling or rescheduling a meeting	<p><b>Proposal:</b> To include provisions for cancelling LGA sub-committee hearings after the agenda has gone out, relying on the provisions for dispensing with hearings under the Licensing Act 2003 (Hearings) Regulations 2005</p> <p><b>Rationale:</b> To allow for LGA sub-committee hearing to be dispensed with if no longer needed, even if the agenda has gone out.</p>	<p>a) Cancelling or rescheduling a meeting</p> <p>If a committee has insufficient business for one of its fixed meetings, the Head of Law and Governance can cancel or reschedule it after consulting the chair of the committee.</p> <p>The Head of Law and Governance may cancel or reschedule a meeting in exceptional circumstances in consultation with the Chair, Group Leaders and the Chief Executive, if the agenda has not already been published. <u>This is with the exception of Licensing and Gambling Acts Casework Sub-Committee, which may be cancelled where the agenda has been published, if the meeting is no longer required.</u></p>
34	Part 14.12(d) Written statements at licensing committee and sub-committee meetings	<p><b>Proposal:</b> To include reference to applicants in relation to speaking at Licensing Committees and Sub-Committees.</p> <p><b>Rationale:</b> To amend an omission</p>	<p>Written statements at licensing committee and sub-committee meetings</p> <p>Any written statements that members of the public, <u>applicants</u>, or councillors wish to be considered by a licensing committee or sub-committee must be submitted to the Licensing Authority at least two working days before the meeting.</p>
35	Part 15.14(a) Key decisions	<p><b>Proposal:</b> To include 'income' over a certain amount as amounting to a key decision.</p> <p><b>Rationale:</b> To ensure clarity across the organisation, as it is a common query when the Council is due to receive a significant value of income.</p>	<p>A key decision is an executive decision likely to:</p> <ul style="list-style-type: none"> <li>• Have a significant effect on people living or working in a least two wards or</li> <li>• Involve spending, <u>income</u>, or saving a significant amount – whether an amount is significant depends on the Council's total budget for the service involved. For this Council 'significant' in</li> </ul>

			<p>budgetary terms is:</p> <ul style="list-style-type: none"> <li>a. Expenditure, <u>income</u>, or savings of £500,000 or greater in the context of the medium term financial strategy,</li> <li>b. Contract awards with a value of £1,000,000 or greater</li> <li>c. Acquiring or disposing of freeholds or leaseholds with a consideration or premium over £500,000 in the context of the medium term financial strategy except for disposals pursuant to right to buy legislation</li> <li>d. Acquiring or disposing of leases with a rental value over £125,000 each year except statutory lease renewals under Part II of the Landlord &amp; Tenant Act 1954.</li> </ul>
36	Part 15.17 Urgent key decisions	<p><b>Proposal:</b> To separate out 'general exception' and 'cases of special urgency' in respect of urgent key decisions – highlighting these provisions are for exceptional circumstances only.</p> <p><b>Rationale:</b> To comply with the law</p>	<p>If a key decision has not been included in the Forward Plan for 28 days, it can still be taken <u>in exceptional circumstances</u> if it is not practicable to put it in the plan and wait 28 days before the decision is taken. Before taking a key decision that has not been included in the Forward Plan, the Head of Law and Governance must write to the Chair of the Scrutiny Committee (or each member of the committee if there is no chair) and make copies of the letter available to the public at the Council's offices and publish it on the Council's website. The decision cannot normally be taken until five clear <u>working days</u> after the chair is told. <del>But the decision can be taken before that if the chair (or the Lord Mayor if there is no chair) agrees that it is not reasonable to defer it.</del></p> <p><u>Where it is not reasonable or practicable to wait until five clear working days have elapsed to take the decision,</u></p>

			<p>the Head of Law and Governance must write to the <u>Chair of the Scrutiny Committee (or the Lord Mayor where there is no chair) to obtain agreement that the making of the decision is urgent and cannot reasonably be deferred.</u> As soon as possible after the authority to take the urgent key decision has been obtained the Head of Law and Governance shall make available to the public at the Council's offices and publish on the Council's website a notice saying why 28 days' notice has not been given.</p> <p>At least once a year the Leader must report to the Council on the number and nature of key decisions taken under 15.17 (Urgent key decisions).</p>	
329	37	Part 17.3 Who can call in decisions and when do they have to be called in by?	<p><b>Proposal:</b> To add reference to the requirement to re-notify councillors following significant changes to material planning considerations, as per the proposed change to Part 5.3(b), in the 'deadline' column of the first row of the table.</p> <p><b>Rationale:</b> To ensure Parts 5.3(b) and 17.3 are aligned and that there are no discrepancies.</p>	<p>5pm on the last day of the period of 21- days starting with the day on which notice of the application is sent to councillors (via the weekly planning list); <u>or, in instances where there are significant changes to material planning considerations, as determined by the Head of Planning Services, after the initial notice of the application is sent to councillors via the weekly planning list, 5pm on the last day of the period of 21-days starting with the day on which councillors are re-notified (via the weekly list).</u></p>
	38	Part 17.4 How are decisions called in?	<p><b>Proposal:</b> To clarify that call-ins require Members to confirm their support to call-in individually for it to be valid</p> <p><b>Rationale:</b> To clarify situations where we have had one Member email copying in the others. If officers were to allow this, there is a risk support will be claimed where there is none/it is a potential loophole to get call-ins through before the deadline.</p>	<p>Decisions are called in by sending notice of call-in to the Head of Law and Governance or emailing it to the internal call-in mailbox. <u>Councillors must confirm their support to a call-in individually for it to be valid; one email with the other individuals copied in is not sufficient.</u></p>
	39	Part 18.12	<p><b>Proposal:</b> To clarify project approval definition – what</p>	<p>Project Approval is the decision making process that</p>

Project approval	<p>needs project approval versus what doesn't. If an income, does it need project approval and can we explicitly draw this out?</p> <p><b>Rationale:</b> For clarity - there seems to be a lot of officer uncertainty around what project approval means and in what circumstances it should be sought, alongside confusion over things not needing project approval because it is a programme.</p>	<p>determines whether or not to move ahead with an initiative. It applies to both revenue and capital <u>programmes and projects (income and expenditure)</u>. Project approval must be obtained for <u>programmes and projects</u> in accordance with the following requirements. For capital <u>programmes and projects</u>, project approval must follow presentation to the Council's Development Board (officer group):</p> <ul style="list-style-type: none"> <li>• Less than £185,000 – Head of Service or Executive Director</li> <li>• £185,000 up to £500,000 – Executive Director or Head of Financial Services in consultation with the Head of Paid Service and Monitoring Officer (and the Head of Financial Services where the decision to approve is being made by an Executive Director)</li> <li>• £500,000 and over – Cabinet</li> </ul> <p>The decision-making process for capital <u>programmes and projects</u> is set out in the Capital Strategy, and will be updated annually by the Head of Financial Services and reported to the Cabinet <u>for recommendation to Council for approval</u>.</p> <p>Project ideas may be added to the project pipeline at any time following the completion of a Project Proposal submitted to the Development Board.</p> <p>Funding may be requested for <u>programme or project</u> ideas and proposals, of a capital nature, in order to carry out feasibility and or design stages to ensure the schemes are both feasible and to ascertain true costs for delivery. Allocation of any funding and approval of each of these stages within the agreed budget envelope is agreed by the relevant Executive Director.</p>
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			<p>For <u>programmes and projects</u> that proceed through feasibility, design and technical specification, a business case will need to be prepared prior to approval that includes:</p> <ul style="list-style-type: none"> <li>• The aim of the <u>programme or project</u> and options for delivery</li> <li>• Resource implications (internal and external)</li> <li>• Legal, contractual and prudential borrowing code implications</li> <li>• If the council is acting through an agent or partnership legal advice on whether it has the power to act in this way</li> <li>• Any comments made during consultation and the Council's response</li> <li>• The estimated amount and timing of any capital and revenue <del>spending</del> <u>expenditure or income</u>, any on-going effect on revenue, and whether this <del>spending</del> is included in the budget.</li> </ul>
40	Part 18.13 Monitoring of the Capital Programme	<p><b>Proposal:</b> To amend ability to vire budgets only to adjacent years within the capital programme, to allow for virements across the period of the Medium Term Financial Strategy.</p> <p><b>Rationale:</b> Currently, only being able to vire to the adjacent year results in slippage.</p>	<p>[...]Where a scheme is within the capital programme and it is not possible for it to progress in a particular year or where it is progressing faster than anticipated, the Head of Financial Services in conjunction with the Development Board can move the approved capital budget for a scheme between <del>adjacent</del> financial years <u>across the Medium Term Financial Strategy</u> providing that the overall budget for the scheme is not exceeded and capital financing resources are available to finance the scheme. Any schemes which remain uncommitted at the end of the financial year in which they were due to start will be reviewed as part of the annual budget process.</p>
41	Part 19.1	<p><b>Proposal:</b> To amend bullet point one to clarify that it</p>	<p>These rules do not apply to the following arrangements:</p>

	Contract rules	means the Council choosing to give a grant to another organisation, rather than receiving a grant  <b>Rationale:</b> For clarity	<ul style="list-style-type: none"> <li>grant giving <u>from the Council to another body</u> – the rules for this are in the Council’s grants prospectus and grant agreement.</li> </ul>
42	Part 19.1 Contract rules	<b>Proposal:</b> To amend the last bullet point to correct an error, as there is no 19.12(c).  <b>Rationale:</b> To correct an error	These rules do not apply to the following arrangements: <ul style="list-style-type: none"> <li>when the Council wishes to let a contract to a Council-owned company which holds “Teckal” status <del>(19.12 (c))</del> (19.11).</li> </ul>
43	Part 19.6 Total contract value	<b>Proposal:</b> To amend total contract value to exclude VAT  <b>Rationale:</b> The current definition of total contract value including VAT has caused issues with service areas this year and quotes are normally sought excluding VAT.	The total contract value is the total amount ( <u>including excluding</u> VAT) that is expected to be paid to the supplier as a result of the contract award during the whole of the contract.
44	Part 19.10 (new sections) Contracts valued over the Find a Tender Service (FTS) threshold	<b>Proposal:</b> To include sections referring to net zero/sustainability and EDI.  <b>Rationale:</b> To reflect current practices and align with the Council’s values/priorities.	<u>M) incorporate net zero considerations and sustainability in tender documents and contract management.</u> <u>n) incorporate EDI considerations in tender documents and contract management.</u>
45	Part 19.11(c) Commissioning Oxford Direct Services Limited for one off capital schemes	<b>Proposal:</b> To add reference to 19.8 in  <b>Rationale:</b> For clarity	b) Contracts above (>) £75,000 up to or equal to £150,000: For contracts in this range the same criteria as in <u>19.8 and 19.11(b)</u> above should apply in addition the commissioning officer may obtain and use the services of a Quantity Surveyor (QS) (using a framework).
46	Part 19.11(d) Commissioning Oxford Direct Services Limited	<b>Proposal:</b> To add reference to requirement for contract holding ODS to account  <b>Rationale:</b> For clarity	c) Contracts above (>) £150,000 – up to or equal to £1,000,000: A detailed specification <u>and an appropriate contract holding ODSL to account</u> is required.



	for one off capital schemes		
47	Part 19.11 (e) Commissioning Oxford Direct Services Limited for one off capital schemes	<b>Proposal:</b> To add reference to requirement for contract format.  <b>Rationale:</b> For clarity.	[...]A formal tender evaluation process should be followed with a Cabinet report written to support the decision to award the contract; <u>the contract requirement is the same as in 19.8.</u>
48	Part 19.12 Thresholds for quotes and tenders	<b>Proposal:</b> To include reference to OCHL, OCH(I)L and OCH(D)L in relation to thresholds for quotes and tenders.  <b>Rationale:</b> To highlight that the same thresholds apply to OCHL, OCH(I)L and OCH(D)L	Above table insert wording: <u>OCHL, OCH(D)L and/or OCH(I)L have the same financial thresholds as detailed below, but the process is led in accordance with a different Scheme of Delegation.</u>
49	Part 19.29(a) Acquiring and disposing of land and buildings	<b>Proposal:</b> To include provisions for how easements should be dealt with.  <b>Rationale:</b> There is currently no reference to easements within this section, so this will clarify an identified grey area and ensure it is not open to interpretation.	This rule applies to acquisitions and disposal of: <ul style="list-style-type: none"> <li>• <u>Easements with a value over £500,000 and/or rental value over £125,000 each year.</u></li> </ul>
50	Part 19.29 (new section) Acquiring and disposing of land and buildings	<b>Proposal:</b> To include reference to other rules which need to be followed when acquiring or disposing of land and buildings.  <b>Rationale:</b> To ensure officers are clear that the correct governance procedure must be followed.	<u>Acquisition and disposal of land and buildings (including easements) must have the relevant project approval and authorisation. Acquisitions and disposals are subject to key decision procedures.</u>
51	Part 20.6 Appointing other Chief Officers and Deputy Chief Officers	<b>Proposal:</b> To amend the wording in bullet point two to refer to 'posts that report directly to the Chief Executive'.  <b>Rationale:</b> To clarify that not all posts listed report	Before an offer of appointment is made by the appointor to: <ul style="list-style-type: none"> <li>• a statutory chief officer within the meaning of section 2(6) of the Local Government and Housing Act 1989, which for the Council means</li> </ul>

		directly to the Chief Executive (e.g. Monitoring Officer does not directly report to the Chief Executive)	<p>the Head of Financial Services;</p> <ul style="list-style-type: none"> <li>• a non-statutory chief officer within the meaning of section 2(7) of the Local Government and Housing Act 1989, which for the Council includes Assistant Chief Executives, Executive Directors, Project Directors, Monitoring Officer<sup>1</sup> and other posts that report directly to the Chief Executive; or</li> <li>• a deputy chief officer within the meaning of section 2(8) of the Local Government and Housing Act 1989 which means those posts that report to a statutory or non-statutory chief officer and for the Council includes Heads of Service and some of its service managers;</li> </ul>
52	Part 24 (Annex 1, section 7) Procedure for dealing with planning applications	<p><b>Proposal:</b> To clarify that applicants or members of the public cannot show PowerPoint presentations or present written representations at Planning Committee.</p> <p><b>Rationale:</b> The current wording is open to interpretation and can be misleading, which has led to some members of the public/applicants wishing to submit written representations at the meeting and/or show a PowerPoint (which isn't permitted).</p>	<p>Applicants or members of the public can exhibit models or displays <u>of photos and/or pictures</u> at the meeting <u>or a room provided for that purpose</u> as long as they notify the Committee and Member Services Officer of their intention by noon, two working days before the start of the meeting so that members can be notified.</p> <p><u>Applicants or members of the public are not permitted to exhibit photos and/or pictures in any electronic format.</u></p>

<sup>1</sup> The Monitoring Officer by virtue of Section 5 of the Local Government and Housing Act 1989.