

# Oldham Borough Council



**Annual Council Meeting  
Wednesday 22<sup>nd</sup> May 2024  
12.00 Noon - Oldham Civic  
Centre**

## **OLDHAM BOROUGH COUNCIL – SUPPLEMENTARY AGENDA**

**To: ALL MEMBERS OF OLDHAM BOROUGH COUNCIL,  
CIVIC CENTRE, OLDHAM**

12 Appointment to Committees and Compositions of Political Groups (Pages 1 - 18)

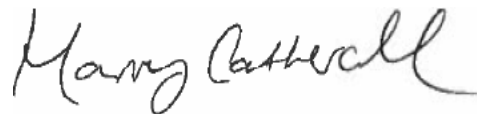
To appoint to committees of the council in accordance with the Local Government and Housing Act 1989 and to give consideration to some committees not allocated strictly in accordance with proportionality under the Act.

13 Appointment to Outside Bodies 2024/25 (Pages 19 - 66)

To appoint Councillors to serve on Outside Bodies.

15 Council Constitution (Pages 67 - 142)

To approve amendments to the Constitution.



**Harry Catherall  
Chief Executive**



## Report to COUNCIL

# Appointment of Committees and Composition of Political Groups

**Officer Contact:** Paul Entwistle, Director of Legal Services

**Report Author:** Peter Thompson, Constitutional Services  
**Ext.** 4716

**22<sup>nd</sup> May 2024**

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### Reason for Decision

The Council is asked to review the political composition of committees and to note the composition of the political groups as previously notified under Regulation 8 (1) of the Local Government (Committees and Political Groups) Regulations 1990 and under Section 15 and 16 of the Local Government and Housing Act 1989. The Council is asked to constitute and appoint members to serve on the several Committees detailed in the constitution and listed in Appendix 1 to this report.

### Recommendations

- (a) The composition of the political groups as shown in paragraph 1.1 be noted.
- (b) The several Committees detailed at paragraph 1.2 and 1.5 be constituted with the Terms of Reference and delegated powers as detailed in the Constitution as amended if the report on the constitution is agreed later in this meeting.
- (c) The number of seats on the various Committees for the 2024/25 Municipal Year be as detailed in paragraph 1.5 .
- (d) Council confirms the allocation of seats to the political groups and makes appointments to fill the seats in accordance with Sections 15 and 16 of the Local Government and Housing Act 1989, as detailed in Appendix 1 as far as is practicable.

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- (e) Council appoints a Chair and Vice-Chair of each of the various Committees for the 2024/25 Municipal Year, as detailed in Appendix 1, except for the Appointments and Appeals Committees and appoints a District Lead and Deputy District Leads for the North and East Districts.
  - (f) The Co-opted Members detailed at paragraph 1.9 of the report be appointed to the Children and Young People Scrutiny Board and th Co-optees be given full voting rights in respect of education matters only.
  - (g) Any outstanding appointments to be delegated to the Chief Executive in accordance with the wishes of the relevant political group.

## Appointment of Committees and Composition of Political Groups

### 1 Background

The Council is asked to review the political composition of committees and to note the composition of the political groups as previously notified under Regulation 8 (1) of the Local Government (Committees and Political Groups) Regulations 1990.

#### 1.1 Political Groups

Council is asked to note that the composition of the political groups, as previously notified under Regulation 8 (1) of the Local Government (Committees and Political Groups) Regulations 1990, is:-

(i)	The Labour Group	27	Members
(ii)	The Liberal Democrat Group	9	Members
(iii)	The Conservative Group	8	Members
(iv)	Oldham Group	6	Members
(v)	Failsworth Independent Party	2	Members
(vi)	Royton Independents	2	Members
(vii)	The Independent Group	2	Members
(viii)	The Oldham Independents	2	Members

There are 2 Independent Members not aligned to a political group.

- a. The Labour group comprises: Councillors Shah (Leader), Taylor, Mohon Ali, Aslam, Bashforth, Brownridge, Charters, Chauhan, Cosgrove, Davis, Dean, Goodwin, Harrison, A. Hussain, F. Hussain, J. Hussain, S. Hussain, Iqbal, Islam, Jabbar, Malik, McLaren, Moores, Mushtaq, Nasheen, Rustidge and Shuttleworth.
- b. The Liberal Democrat Group comprises: Councillors Sykes (Leader), Al-Hamdani, Bishop, Hamblett, Harkness, Kenyon, Marland, Murphy and Williamson.
- c. The Conservative Group comprises: Councillors Sheldon (Leader), Byrne, Adams, Arnott, Lancaster, Quigg, Sharp and Woodvine.
- d. The Oldham Group comprises: Councillors Ghafoor (Leader), Wahid, Zaheer Ali, Azad, Chowhan and Kouser.
- e. The Failsworth Independent Party comprises: Councillors Hobin (Leader) and Hindle.
- f. The Royton Independents comprises; Councillors Hurley (Leader) and Hughes.
- g. The Independent Group will comprise Councillors Hince (Leader) and Navesey
- h. The Oldham Independents comprises: Councillors Akhtar (Leader) and Ibrahim.
- i. Councillors Ball and Wilkinson are independent members not aligned to a political group.

#### 1.2 Terms of Reference and Delegated Powers

Council is asked to constitute and appoint members to serve on the several Committees detailed in the Constitution and listed in Appendix 1 to this report, namely: -

- (i) The Regulatory Committees: -
  - Licensing
  - Planning
  - Appeals
  - Commons Registration

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Traffic Regulation Panel.  
Charitable Trust Committee

- (ii) The Overview and Scrutiny Boards:-
- (iii) The Audit Committee
- (iv) The Standards Committee
- (v) The Employment Committee
- (vi) Appointments Committee

The terms of reference, and delegated powers where applicable, be as detailed in the Council's Constitution.

Council is also asked to ratify the Leader's nominations to the Health and Well-being Board. The Board is not a politically balanced Committee of the Council and is listed in Appendix 1 to this report.

### 1.3 Political Balance

There are four statutory principles of political balance which have to be applied in filling appointments to Committees. These are contained in S15(5) of the Local Government and Housing Act 1989.

The principles have to be applied in priority order as follows:-

- (i) That not all seats on the body are allocated to the same political group.
- (ii) That the majority of the seats on the body are allocated to a particular political group if the number of persons belonging to that group are a majority of the Authority's membership.
- (iii) Subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant Authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that Authority as is borne by the number of members of that group to the membership of the Authority; and,
- (iv) Subject to paragraphs (i) to (iii) above, that the number of seats on the body which are allocated to each political group bears the same proportion to the same number of all seats on that body as is borne by the number of members of that group to the membership of the Authority.

The political group sizes as a percentage of the total membership of the Council are:-

Labour Group	$27/60 \times 100 = 45\%$	$119 \text{ seats} \times 45\% = 53.55$	<b>54 seats</b>
Liberal Democrat Group	$9/60 \times 100 = 15\%$	$119 \text{ seats} \times 15\% = 17.85$	<b>18 seats</b>
Conservative Group	$8/60 \times 100 = 13.33\%$	$119 \text{ seats} \times 13.33\% = 16.64$	<b>17 seats</b>
Oldham Group	$6/60 \times 100 = 10\%$	$119 \text{ seats} \times 10\% = 11.90$	<b>12 seats</b>

Failsworth Independent Party	$2/60 \times 100 = 3.33\%$	$119 \text{ seats} \times 3.33\% = 3.96$	<b>4 Seats</b>
The Independent Group	$2/60 \times 100 = 3.33\%$	$119 \text{ seats} \times 3.33\% = 3.96$	<b>4 seats</b>
Royton Independents	$2/60 \times 100 = 3.33\%$	$119 \text{ seats} \times 3.33\% = 3.96$	<b>4 seats</b>
Oldham Independents	$2/60 \times 100 = 3.33\%$	$119 \text{ seats} \times 3.33\% = 3.96$	<b>4 seats</b>

There are 2 Independent Members not within a Group. Unallocated seats will be offered to them .

- 1.3 The application of these percentages to the number of seats on individual Committees gives the following allocation of seats:-

COMMITTEE SIZE	Labour (L)	Liberal Democrat (LD)	Conservative (C)	Oldham Group (OG)	Failsworth Independents (FIP)	The Independent Group (TIG)	Royton Independents (RI)	Oldham Independents (OI)
15	6.75	2.25	2.00	1.50	0.50	0.50	0.50	0.50
14	6.30	2.10	1.86	1.40	0.46	0.46	0.46	0.46
13	5.85	1.95	1.73	1.30	0.43	0.43	0.43	0.43
12	5.40	1.80	1.60	1.20	0.39	0.39	0.39	0.39
11	4.95	1.65	1.46	1.10	0.36	0.36	0.36	0.36
10	4.50	1.50	1.33	1.00	0.33	0.33	0.33	0.33
9	4.05	1.35	1.19	0.90	0.29	0.29	0.29	0.29
8	3.60	1.20	1.07	0.80	0.26	0.26	0.26	0.26
7	3.15	1.05	0.93	0.70	0.23	0.23	0.23	0.23
6	2.70	0.90	0.79	0.60	0.19	0.19	0.19	0.19
5	2.25	0.75	0.67	0.50	0.16	0.16	0.16	0.16
4	1.80	0.60	0.53	0.40	0.13	0.13	0.13	0.13
3	1.35	0.45	0.40	0.30	0.10	0.10	0.10	0.10

- 1.4 Under the political balance rules after these percentages have been applied to the total number of seats on Committees of the Council any remaining seats must be allocated to members who are not Members of any political group. Applying political balance as detailed above, the allocation of seats, to the current committee structure, would be as follows:-

<b>Committee</b>	<b>Seats</b>	<b>L</b>	<b>LD</b>	<b>C</b>	<b>OG</b>	<b>FIP</b>	<b>TIG</b>	<b>RI</b>	<b>OI</b>	<b>Ind</b>
Licensing	15	7	2	2	2	1	1	1	1	0
Planning	14	6	2	2	1	0	0	0	0	0
Place, Economic Growth and Environment Scrutiny Board	11	5	2	1	1	0	0	0	0	0
Governance, Strategy and Resources Scrutiny Board	11	5	2	1	1	0	0	0	0	0
Adults Social Care and Health Scrutiny Board	11	5	2	1	1	0	0	0	0	0
Children and Young People Scrutiny Board	11	5	2	1	1	0	0	0	0	0
Audit Committee	9	4	1	1	1	0	0	0	0	0
Employment Committee	7	3	1	1	1	0	0	0	0	0
Appointments Committee	5	2	1	1	1	0	0	0	0	0
Commons Registration	4	2	1	1	0	0	0	0	0	0
Charitable Trust Committee	6	3	1	1	1	0	0	0	0	0
Standards Committee	5	2	1	1	1	0	0	0	0	0
Traffic Regulation Order Panel	5	2	1	1	1	0	0	0	0	0
Appeals Committee	5	2	1	1	1	0	0	0	0	0
<b>Total</b>	<b>119</b>	<b>53</b>	<b>20</b>	<b>16</b>	<b>14</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>

The above calculation leaves 12 committee places to be allocated.

#### 1.5 Adjustment of Seats

In accordance with the rules of political balance , so far as practicable, the number of seats must be allocated to accord with the rules above. It is therefore proposed that the number of seats on the various Committees for the 2024/25 Municipal Year be fixed as follows:-



<b>Committee</b>	<b>Seats</b>	<b>L</b>	<b>LD</b>	<b>C</b>	<b>OG</b>	<b>FI P</b>	<b>TI G</b>	<b>RI</b>	<b>OI</b>	<b>Ind</b>
Licensing	15	7	2	2	2	0	1	1	0	
Planning	14	6	2	2	1	1	0	1	1	
Place, Economic Growth and Environment Scrutiny Board	11	5	2	1	1	0	1	0	1	
Governance, Strategy and Resources Scrutiny Board	11	5	2	1	1	1	0	0	1	
Adults Social Care and Health Scrutiny Board	11	5	1	2	1	0	0	1	1	
Children and Young People Scrutiny Board	11	5	1	1	1	1	0	1	0	1
Audit	9	4	1	1	1	0	1	0	0	1
Employment Committee	7	3	1	1	0	1	1	0	0	
Commons Registration	4	2	1	1	0	0	0	0	0	
Appointments Committee	5	2	1	1	1	0	0	0	0	
Charitable Trustee Committee	6	3	1	1	0	0	0	0	0	1
Standards Committee	5	2	1	1	1	0	0	0	0	
Traffic Regulation Order Panel	5	2	1	1	1	0	0	0	0	
Appeals Committee	5	2	1	1	1	0	0	0	0	
<b>Total</b>	<b>119</b>	<b>53</b>	<b>18</b>	<b>17</b>	<b>12</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>3</b>

- a. The Health and Well Being Board is not included in the calculation above. Although the Committee is appointed by Council, the Local Authority (Public Health and Well Being Boards and Health Scrutiny) Regulations 2013 provide for the disapplication of Section 15 and 16 of the Local Government and Housing Act 1989
  - b. Council is also asked to appoint a District Lead for each District Area and 2 Deputy District Leads for North and East District.
  - c. It is recommended that the standards sub-committee dealing with assessments or hearings consist of 3 members with 1 Member from the Labour, Liberal Democrat and Conservative groups represented on the Standards Committee on the Standards Sub- Committee.
- 1.7 Substitutes are to be appointed by the political groups in accordance with the Substitute Scheme contained in the Constitution. Substitutes for Overview and Scrutiny Boards may be nominated up to a maximum of the number of Members of that Group serving on the Board. Substitutes are not permitted for Licensing. For the Planning Committee, up to 14 substitutes are to be nominated in accordance with the political balance of each Committee. Council is also asked to appoint substitutes to the Traffic Regulation Order Panel and the Audit Committee. For clarity therefore, it is recommended that substitutes are permissible for the Planning Committee, all Overview and Scrutiny boards, Audit Committee and Traffic Regulation Panel and the Substitute Scheme be clarified accordingly.
- 1.8 Council is asked to review the political composition of the Committees; to determine the allocation of seats to political groups; and to make the appointments to fill the seats in

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accordance with Sections 15 and 16 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations.

1.9 The Children and Young People Scrutiny Board has Co-opted Members serving as follows:

**Statutory Co-opted Members (with voting rights)**

Cannon Jean Hurlston	Manchester Church of England Diocese
Vacant	Salford Roman Catholic Diocese
Vacant	Parent/Governor Primary School
Vacant	Parent/Governor Secondary Schools

Council is asked to approve that the Co-opted Members listed above be re-appointed. Statutory Co-opted members may attend for the whole of the meeting and may speak on all matters if they so wish.

**2 Options/Alternatives**

2.1 To approve the report.  
Not to approve the report

**3 Preferred Option**

3.1 To approve the report and the committee's composition and membership at Appendix 1.

**4 Consultation**

4.1 Consultation has taken place with relevant officers and Councillors.

**5 Financial Implications**

5.1 n/a

**6 Legal Implications**

6.1 There are no legal comments (Paul Entwistle).

**7 Human Resource Implications**

7.1 There are no human resources issues.

**8 Risk Assessments**

8.1 A risk assessment is not required.

**9 IT Implications**

9.1 There are no IT implications.

**10 Property Implications**

10.1 There are no property implications.

**11 Procurement Implications**

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- 11.1 There are no procurement implications.
- 12 **Environmental and Health & Safety Implications**
- 12.1 There are no environmental or health and safety implications.
- 13 **Community cohesion, including crime and disorder implications in accordance with Section 17 of the Crime and Disorder Act 1998.**
- 13.1 There are no community cohesion implications.
- 14 **Equality Impact – including implications for Children and Young Persons**
- 14.1 N/a
- 17 **Key Decision**
- 17.1 No
- 18 **Key Decision Reference**
- 18.1 n/a
- 19 **Background Papers**  
The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does include documents which would disclose exempt or confidential information as defined by the Act:  
Local Government (Committees and Political Groups) Regulations 1990.  
Local Government and Housing Act 1989.  
Contact Peter Thompson – [peter.thompson@oldham.gov.uk](mailto:peter.thompson@oldham.gov.uk), Level 4 Civic Centre  
Oldham, OL1 1UL
20. **Appendices**  
Appendix 1 – Membership of Committees.

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## APPOINTMENT OF COMMITTEES – 2024/25

<b>LICENSING COMMITTEE*</b>							
Council Members 15	Lab 7	Lib Dem 2	Con 2	Oldham Group 2	The Independent Group 1	Royton Independent 1	Quorum 4
Chair: S. Hussain (Lab)			Vice Chair: Pam Byrne (Cons)				
Lab		Lib Dem	Con	OG	TIG	RI	
Cosgrove		Hamblett	Sheldon	Montaz Ali Azad	Navesey		
Harrison		Bishop		Kouser			
J. Hussain							
Islam							
Nasheen							
Shuttleworth							
<b>* (NO SUBSTITUTES)</b>							

<b>PLANNING COMMITTEE</b>								
Council Members 14	Lab 6	Lib Dem 2	Con 2	OG 1	FIP 1	RI 1	OI 1	Quorum 4
Chair: Hince (TIG)			Vice Chair: Harkness					
Lab		Lib Dem	Con	OG	FIP	RI	OI	
Charters		Williamson	Lancaster	Zaheer Ali	Hobin	Hurley	Akhtar	
Cosgrove			Woodvine					
Davis								
Nasheen								
Iqbal								

<b>Substitutes (ordered)</b>	Lab	Con	Lib Dem
	A Hussain		
	S Hussain		

<b>CHILDREN YOUNG PEOPLE SCRUTINY BOARD</b>								
Council Members 11	Lab 5	Lib Dem 1	Con 1	OG 1	FIP 1	RI 1	IND 1	Quorum 4
Chair: Brian Hobin (FIP)			Vice Chair:					
Lab		Lib Dem	Con	OG	FIP	RI	IND	
Moore's		Harkness	Adams	Zaheer Ali		Hughes	Ball	
S. Hussain								

Shuttleworth						
McLaren						
Iqbal						

<b>Substitutes (ordered)</b>	Lab	Lib Dem	Con	FIP
	Rustidge	Williamson		

**Co-opted Members (With voting rights on Education matters only): -**

Canon Jean Hurlston – Manchester Church of England Diocese

Vacant – Salford Roman Catholic Diocese

Vacant – Parent/Governor representative Primary Schools

\* Vacant – Parent/Governor representative Secondary Schools

<b>ADULT SOCIAL CARE AND HEALTH SCRUTINY BOARD</b>							
Council Members 11	Lab 5	Lib Dem 1	Con 2	OG 1	RI 1	OI 1	Quorum 4
Chair: Moores				Vice Chair: Hamblett			
Lab	Lib Dem	Con	OG	RI	OI		
Malik		Adams	Chowhan	Hurley	Ibrahim		
McLaren		Sharp					
J. Hussain							
Rustidge							

<b>Substitutes (ordered)</b>	Lab	Con	Lib Dem	FIP
	Iqbal			

<b>PLACE, ECONOMIC GROWTH AND ENVIRONMENT SC BOARD</b>							
Council Members 11	Lab 5	Lib Dem 2	Con 1	OG 1	TIG 1	IND	Quorum 4
Chair: J Hussain				Vice Chair:			
Lab	Con	Lib Dem	OG	TIG	IND		
McLaren	Sharp	Murphy	Kouser	Navesey	Wilkinson		
Shuttleworth		Williamson					
Moores							

Malik					

Substitutes (ordered)	Lab	Con	Lib Dem	Others
	Iqbal		Harkness	
			Hamblett	

<b>GOVERNANCE, STRATEGY AND RESOURCES SCRUTINY BOARD</b>							
Council Members 11	Lab 5	Lib Dem 2	Con 1	OG 1	FIP 1	OI 1	Quorum 4
Chair: McLaren						Vice Chair:	
Lab	Lib Dem	Con	OG		FIP	OI	
Aslam	Harkness	Lancaster	Montaz Ali Azad		Hindle	Ibrahim	
Moores	Williamson						
Iqbal							
Rustidge							

Substitutes (ordered)	Lab	Con	Lib Dem	Others
	Cosgrove		Hamblett	
			Murphy	

NOTE: A member of the Executive must not be on a scrutiny committee

<b>AUDIT COMMITTEE</b>						
Council Members 9	Lab 4	Lib Dem 1	Con 1	OG 1	TIG 1	IND 1
Chair (Independent Member): Mr G. Page						
Lab	Con	Lib Dem	OG	TIG	IND	
Aslam	Arnott	Al-Hamdani	Chowhan	Hince	Wilkinson	
Davis						
S Hussain						
Rustidge						

						<b>EMPLOYMENT COMMITTEE</b>				
Council Members 7	Lab 3	Lib Dem 1	Con 1	FIP 1	TIG 1	Quorum 3				
							A Member of the Cabinet (preferably with responsibility for Corporate affairs) is to be one of the appointments			
Lab	Lib Dem		FIP		Con	TIG				
Taylor	Al-Hamdani		Hindle		Byrne	Hince				
Jabbar										
Shuttleworth										

<b>COMMONS REGISTRATION COMMITTEE</b>						
Council Members 4	Lab 2		Lib Dem 1		Con 1	Quorum 3
Chair: Lancaster						
Lab	Con		Lib Dem			
Goodwin			Bishop			
Charters						

<b>CHARITABLE TRUST COMMITTEE</b>						
Council Members 6	Lab 3		Lib Dem 1	Con 1	IND 1	Quorum 3
Chair: Byrne (Cons)				Vice Chair:		
Lab	Lib Dem		Cons		Lib Dem	
M Bashforth	Marland					
Iqbal						
Rustidge						



<b>STANDARDS COMMITTEE</b>					
Council Members 5	Lab 2	Lib Dem 1	Lib Dem 1	OG 1	Quorum 3
Chair: Harrison (Lab)				Vice Chair:	
Lab		Lib Dem		Con	OG
J Hussain		Williamson		Adams	Kouser

Independent Persons	Parish Councillors
Karen Williams	TBC
Gillian McCarthy	
Mark Reynolds	

**\* NO SUBSTITUTES**

<b>HIGHWAY REGULATION COMMITTEE (formerly TRO Panel)</b>					
Council Members 5	Lab 2	Lib Dem 1	Lib Dem 1	OG 1	Quorum 3
Chair: Murphy (LD)		Vice Chair:			
Lab		Lib Dem	Cons		
Davis			Woodvine	Chowhan	
Shuttleworth					

<b>Substitutes (ordered)</b>	Lab	Con	Lib Dem
			Kenyon

<b>APPEALS COMMITTEE</b>					
Council Members 5	Lab 2	Lib Dem 1	Con 1	OG 1	Quorum 3
	Shuttleworth J Hussain	Hamblett	Byrne	Wahid	

<b>APPOINTMENTS COMMITTEE</b>					
Council Members 5	Lab 2	Lib Dem 1	Con 1	OG 1	Quorum 3
	Shah Taylor	Sykes	Sheldon	Ghafoor	

<b>HEALTH AND WELLBEING BOARD (Outside Political Balance) Leader nominates</b>			
Council Members 6			Quorum 3
Chair: Davis		Vice Chair:	
Brownridge	Sykes		
Mushtaq			
Nasheen			
Shuttleworth			
Integrated Care Board			
Director of Adult Social Care			
Director of Children's Services			
Director of Public Health			
Healthwatch Oldham			
NHS Commissioning Board			

**District Leads – not a committee (Outside Political Balance)**

<b><u>CENTRAL DISTRICT LEAD</u></b>
Councillor Malik

<b><u>NORTH DISTRICT LEAD</u></b>
Councillor Hince
Deputy – Councillor Adams

<b><u>EAST DISTRICT LEAD</u></b>
Councillor Cosgrove
Deputy – Councillor Bishop

<b>SOUTH DISTRICT LEAD</b>
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Councillor Hindle
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<b>WEST DISTRICT LEAD</b>
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Councillor Shuttleworth
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## Report to ANNUAL COUNCIL

# Appointments to Outside Bodies 2024/2025

**Officer Contact:** Director of Legal Services

**Report Author:** Peter Thompson, Constitutional Services

**22<sup>nd</sup> May 2024**

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### Reason for Decision

To confirm various appointments as nominated by the Political Groups, represented on the Council, to be made to assorted Outside Bodies for the 204/25 Municipal Year, as outlined in the appendices to this report.

### Recommendations

1. That appointments be made to the Outside Bodies listed in Appendices, for the 2024/25 Municipal Year, be agreed.
2. That any outstanding appointments be delegated to the Chief Executive in consultation with the Leader of the Council and the Leader of the main opposition Group.
3. That Council notes the establishment of the Joint Overview and Scrutiny Committee for the Northern Care Alliance, detailed at Appendix 3.

### 2 Options/Alternatives

- 3.1 To approve the Outside Bodies appointments
- 3.2 Not to approve the Outside Bodies appointments

### 3 Preferred Option

- 3.1 To approve the appointments as set out in Appendices.

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- 4        **Consultation**
- 4.1      Consultation has taken place with relevant officers and councillors.
- 5        **Financial Implications**
- 5.1      n/a
- 6        **Legal Implications**
- 6.1      There are no legal implications.
- 7        **Human Resource Implications**
- 7.1      There are no human resources issues.
- 8        **Risk Assessments**
- 8.1      A risk assessment is not required.
- 9        **IT Implications**
- 9.1      There are no IT implications.
- 10       **Property Implications**
- 10.1     There are no property implications.
- 11       **Procurement Implications**
- 11.1     There are no procurement implications.
- 12       **Environmental and Health & Safety Implications**
- 12.1     There are no environmental or health and safety implications.
- 13       **Community cohesion, including crime and disorder implications under Section 17 of the Crime and Disorder Act 1998**
- 13.1     There are no community cohesion implications.
- 14       **Oldham Equality Impact Assessment, including implications for children and young people?**
- 14.1     None
- 17       **Key Decision**
- 17.1     No
- 18       **Key Decision Reference**
- 18.1     n/a
- 19       **Appendices**

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19.1 The proposed appointments to outside bodies are detailed in the various appendices.

20 **Background Papers**

20.1 The following is a list of the background papers on which this report is based in accordance with the requirements of Section 100 (1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by that Act.

Outside Bodies - 2023/24 File

Any person wishing to inspect copies of the above background papers should contact the Constitutional Services: [constitutional.services@oldham.gov.uk](mailto:constitutional.services@oldham.gov.uk)

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**OLDHAM METROPOLITAN BOROUGH COUNCIL****APPOINTMENT TO OUTSIDE BODIES – 2024/25****EXTERNAL AND VOLUNTARY SECTOR****RA – Ruling Administration****OPP – Opposition**

<b>LGA General Assembly – 4 places</b> Contact: Fatima de Abreu OR Frances Marshall Tel: 0207 664 3136 Local Government House, Smith Square, London, SW1P 3HZ <a href="mailto:fatima.deabreu@local.gov.uk">fatima.deabreu@local.gov.uk</a>			
<b>Shah</b>			Notes
<b>Taylor</b>			
<b>Jabbar</b>			
<b>Sykes</b>			
<b>Purpose</b> The General Assembly acts as the 'parliament' of local government, with all authorities in LGA membership entitled to have a minimum of one representative.			
<b>Benefits to Council</b> Benefits include - on the election of LGA Chair, Vice-chairs and Deputy Chairs, and on questions of estimated expenditure and subscriptions under Article 6.2.1 of the Constitution, each corporate member is entitled to one vote. On issues of direct relevance to their statutory duties and responsibilities, Corporate authorities are entitled to votes on the basis of population bands.			
<b>Commitment</b> It meets each summer at the LGA's Annual Conference at various locations around the UK.			
<b>Attendance – Requirement</b>			

<b>LGA Executive – 1 place</b> Contact: Paul Goodchild Tel: 0207 664 3005 Local Government House, Smith Square, London SW1P 3HZ <a href="mailto:paul.goodchild@local.gov.uk">paul.goodchild@local.gov.uk</a>			
			Notes
<b>Shah</b>			Appointment made by the LGA Political Group Offices in summer. No need to make nomination at this time

<p><b>Purpose</b> The Local Government Association (LGA) Executive plays a coordinating role, providing strategic direction to the association's work through the business planning process. It is advised by the LGA Leadership Board and holds the Programme Boards to account.</p>
<p><b>Benefits to Council</b> The LGA Executive is made up of both voting and non-voting members, with the meeting being chaired by the LGA Chairman</p>
<p><b>Commitment</b> The Executive meets 7 times a year in London (usually at Local Government House).</p>
<p><b>Attendance – Requirement</b></p>

<p><b>MAHDLO – 1 place 1 RA</b> Contact: Lucy Lees, Tel: 0161 624 0111 Egerton Street, Oldham, OL1 3SE <a href="mailto:lucy.lees@mahdloyz.org">lucy.lees@mahdloyz.org</a></p>			
			Notes
<b>Harrison</b>			
<p><b>Purpose</b> Mahdlo is Oldham's primary agency for delivering the Universal youth work service.</p>			
<p><b>Benefits to Council</b></p>			
<p><b>Commitment</b> Board of trustees meets bi-monthly for two hours and there are a number of fundraising and marketing events which Trustees attend when possible. (Meetings can be attended remotely)The meetings are attended by a Council senior officer in an advisory role.</p>			
<p><b>Financial Commitment (if any)</b> The council provide £300k of funding (2021/2022 to be reduced to £200K from 2022/2023) which is matched by £1million of private and other investment.</p>			
<p><b>Attendance – Requirement/Optional</b></p>			

<p><b>North West Employers Organisation – 1 place 1 RA + 1 Sub</b> Contact: Sarah Hargreaves Tel: 0161 214 7127 Suite 3.3, ICE Building 3, Exchange Quay, Salford Quays, Greater Manchester, M5 3ED <a href="mailto:sarahh@nwemployers.org.uk">sarahh@nwemployers.org.uk</a></p>			
			Notes
<b>Jabbar</b>			Sub cannot attend Committee meetings
<b>(S)Hussain, F</b>			

**Commitment**

One AGM and four quarterly meetings.

**Oldham Athletic Community Trust – 1 Place 1 RA**

Contact: Martin Vose, Trust Manager, Tel: 0161 785 5176  
 Chair Boundary Park, Furtherwood Road Oldham OL1 2PA  
[enquiries@oldhamathletic.co.uk](mailto:enquiries@oldhamathletic.co.uk)

**Dean****Notes****Purpose****Purpose**

Using the power of football Oldham Athletic Community Trust (OACT), works in partnership with its local community to provide positive opportunities through sport, inspire and reward our local community.

**About Oldham Athletic Community Trust**

Oldham Athletic Community Trust is a charitable organisation (charity number 1120894).

**Vision & Purpose of OACT**

Using the power of football Oldham Athletic Community Trust (OACT) works in partnership with its local community to provide positive opportunities through sport, inspire and reward our local community.

**Our Commitment**

To be professional, dedicated and inclusive in everything that we deliver. We will work to develop a fit for purpose governance structure with an empowered team committed to meeting the needs of those within Oldham.

**Our Aims & Aspirations**

- To maintain Oldham Athletic Football Club at the heart of its community and increase opportunities for young people and families to be involved with Oldham Athletic.
- Promote social responsibility and encourage positive relationships amongst communities through sport.
- To work with the local communities to maximise the use of facilities and provide meaningful sports opportunities for young people to enhance their communities.
- Raise the aspirations of young people through football and education.
- To be a sustainable, well-managed and forward-thinking organisation.

**Commitment**

Every quarter unless there is the need for an emergency board meeting

**Attendance –**

<b>Oldham Citizen's Advice Bureau – 1 place RA,</b> Contact: Jonathon Yates, CAB Manager, Tel: 07968365905 1-2 Ascroft Court Peter St Oldham OL1 1HP <a href="mailto:jonathan.yates@casort.org">jonathan.yates@casort.org</a>			
			Notes
<b>Goodwin</b>			

<b>Oldham Credit Union – 2 Places 1 RA + 1 Opp</b> Contact: Tel: 0161 678 7245 9 Albion Street Oldham OL1 3BG <a href="mailto:enquiry@oldhamcreditunion.co.uk">enquiry@oldhamcreditunion.co.uk</a>			
<b>Shuttleworth</b>			Notes
<b>Marland</b>			

<b>Oldham Henshaw and Church of England Education Trust – 1 place (External Appointments) - 3 yr term of office</b> Ian Tomkin, Secretary Tel: 0161 828 1437 Helen Tyler Tel: 0161 828 1436 Manchester Diocesan Board of Education, 4 <sup>th</sup> Floor, Church House, 90 Deansgate, Manchester M3 2GH <a href="mailto:iantomkin@manchester.anglican.org">iantomkin@manchester.anglican.org</a>			
			Notes
<b>Moores</b>			
<b>Purpose</b> The official objective of the Henshaw Trust is 'The aim is the promotion of God's Kingdom through provision of schools where faith and worship of C of E can be taught and practised and the children brought to Confirmation and worshipping members of the church.' This has been looked at in other way in recent year as two of the trusts schools are 100% Muslim			
<b>Benefits to Council</b> Helps the Council keep up to date with the nine Trust schools.			
<b>Commitment</b> Meets 2 or 3 times a year (Usually March, July and September), at 19:00 at one of the trust schools.			
<b>Attendance – Requirement</b> - the Council have a place on the Trust and are expected to attend the meeting			

<b>Oldham Hulme Grammar Schools– 2 places (External appointments) 3 yr term of office</b> Contact: Kath Shaw, Tel: 0161 630 6169 School Bursar, The Hulme Grammar Schools, Oldham OL8 4BX <a href="mailto:finance@ohgcc.co.uk">finance@ohgcc.co.uk</a>			
			Notes

<b>Chauhan</b>			
<b>J Sutcliffe (has been an Elected Governor since 2016)</b>			
<b>Purpose</b> To advance the education of children and young people by the provision of schools in or near Oldham and by ancillary or incidental educational activities and other associated activities for the benefit of the community			
<b>Benefits to Council</b> We believe that the Council would benefit by being seen to support a high quality educational establishment.			
<b>Commitment</b> The Governing body holds formal Board meetings 3 times a year (December, March and June) together with an annual training and strategy discussion day in September. The Board has a number of sub committees and if an appointed representative wish to serve on one this would of course increase the commitment.			
<b>Financial Commitment (if any)</b> None			
<b>Attendance – Optional</b>			

<b>Oldham Play Action Group – 1 place RA</b> Contact: Ms S Gill, Co-ordinator, Tel: 0161 678 9662 Oldham Play Action Group, Greenacres Community Centre, Greenacres, Oldham OL4 3EU <a href="mailto:playactiongroup@hotmail.com">playactiongroup@hotmail.com</a>			
			Notes
<b>McLaren</b>			
<b>Purpose</b> Oldham Play Action Group is a registered charity working across the borough to extend and enhance the quantity and quality of play and free-time activities for children and families. OPAG delivers junior youth clubs, play and arts sessions, consultation, training and community celebration events. OPAG also operates a small play resource store and is based at Greenacres Community Centre			
<b>Benefits to Council</b> OPAGs work has and continues to contribute substantially to Oldham Council's Children and Young People's offer.			
<b>Commitment</b> OPAG Management Committee meets bi-monthly, usually on a Tuesday or Thursday morning. Meetings tend to last approximately 1.5 hours. Meetings take place at Greenacres Community Centre, Galland Street, Greenacres, Oldham, OL4 3EU.			
<b>Financial Commitment (if any)</b>			

None

**Attendance – Optional**

**Oldham United Charity – 4 Nominations (5 year Terms of Office due to end 2021) + Mayor (Ex-Officio)**

Contact: Phil Higgins [phil.higgins11@gmail.com](mailto:phil.higgins11@gmail.com)

<b>Mrs C Ball</b>	<b>(The Mayor (Cllr Chauhan) - ex-officio)</b>		
<b>Mr Mather</b>			

**Parking Traffic Regulations Outside London (Patrol) Adjudication Joint Committee**

**And as your authority operates civil bus lane enforcement also Bus Lane Adjudication Service Joint Committee (BLASJC)**

**Councillor nomination to both Joint Committees is mandatory. A named substitution is desirable.**

Contact: Andy Diamond Tel: 01625 445565 [adiamond@patrol-uk.info](mailto:adiamond@patrol-uk.info)

**PATROL / BLASJC**

**Parking and Traffic Regulations Outside London Joint Committee, PO Box 471, Merlin House, 8 Grove Avenue, Wilmslow, Cheshire, SK9 0HJ**

			Notes
<b>Goodwin</b>			
<b>(S) Davis</b>			

**Purpose**

Local Authorities who undertake civil parking or bus lane enforcement are required by statute to make provision for independent adjudication. Over 300 Local Authorities in England and Wales are members of the PATROL Joint Committee to exercise this function jointly and over 50 are members of the BLASJC. The function of the Joint Committee is to provide resources to support independent Adjudicators and their staff who together compose the Traffic Penalty Tribunal. The Joint Committee also promotes good practice in public information on parking enforcement.

**Benefits to Council**

Membership to the JCs means Oldham MBC can operate Civil Parking and Bus Lane Enforcement.

**Commitment**

Meetings take place 3 times a year (January, June and October) in Westminster or virtually depending on national restrictions

**Financial Commitment**

Oldham MBC pay £0.30p per PCN issued to PATROL to allow access to independent adjudication for the general public (Traffic Penalty Tribunal)

**Attendance – Requirement Cllr Peter Davis attended / participated in all required meetings between 2020 -2021**

**Peak District National Park Authority – 1 place RA**

Contact: Jason Spencer, Corporate & Member Services Manager Tel: 01629 816352 Aldern House, Baslow Road, Bakewell, Derbyshire, DE45 1AE  
[Ruth.Crowder@peakdistrict.gov.uk](mailto:Ruth.Crowder@peakdistrict.gov.uk)

			Notes
<b>Rustidge</b>			
<b>Purpose</b> The National Park Authority is the local planning authority for the area within the National Park boundary. It has a statutory obligation to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park and to promote opportunities for the understanding and enjoyment of its special qualities by the public. Where these purposes conflict, we must give priority to conservation. In carrying out these aims, we are also required to seek to foster the economic and social well-being of local communities within the Park.			
<b>Benefits to Council</b> Constituent councils benefit from being included in the Authority's decision making on issues and matters that affect the areas of their council situated within the National Park, for example planning applications and transport infrastructure. They also gain from the partnership working opportunities available through the Authority.			
<b>Commitment</b> The Authority meets 6 times per year and there are 2 committees, Planning and Audit, Resources and Performance. Committee meetings take place on Fridays and normally start at 10am.			
<b>Attendance – Requirement</b>			

**Pennine Care NHS Trust – (Mental Health) Council of Governors – 1 place RA**

Contact: Lisa Howarth, Corporate Governance Officer Tel: 0161 716 3960  
Pennine Care Trust Headquarters, 225 Old Street, Ashton under Lyne OL6 7SR. [lisa.howarth@nhs.net](mailto:lisa.howarth@nhs.net)

			Notes
<b>Brownridge</b>			
<b>Purpose</b> Pennine Care NHS Foundation Trust provides mental health and learning disabilities services for children and adults in Oldham.			
<b>Benefits to Council</b>			

The Council of Governors is responsible for representing the interests of Trust members and partner organisations  
 The Council of Governors holds the Board of Directors collectively to account for the performance of the Trust  
 Governors are responsible for feeding back information about the Trust, its vision and its performance to the constituencies and the stakeholder organisations that either elect them or appointed them

**Commitment**

The nominated representative is required to attend a minimum of four quarterly meetings of the Council of Governors, each meeting is scheduled for 2½ hours with an additional pre-meeting for all public, staff and appointed governors. In addition, governors are also required to attend the Annual General Meeting, mandatory development sessions and where possible the quarterly Local Constituency Meetings.

**Financial Commitment (if any)**

None

**Attendance – Requirement**

It would be useful for the representative governor to have a local knowledge of health issues within the constituency in which they represent, however it is important to note the Trust’s constitution does not allow for an individual to fulfil both roles of a Governor and member of the Health Overview and Scrutiny Committee

**Northern Care Alliance NHS Foundation - Council of Governors – 1 place RA**

Contact: Corporate Governance Officer, Mayo Building, Salford Royal Hospital, Stott Lane, Salford, M6 8HD  
[membership@nca.nhs.uk](mailto:membership@nca.nhs.uk)

Lab			Notes
<b>Brownridge</b>			

**Purpose**

Northern Care Alliance NHS Foundation Trust provides health and care services for children and adults in Oldham.

**Benefits to Council**

The Council of Governors is responsible for representing the interests of Trust members and partner organisations  
 The Council of Governors holds the Board of Directors collectively to account for the performance of the Trust  
 Governors are responsible for feeding back information about the Trust, its vision and its performance to the constituencies and the stakeholder organisations that either elect them or appointed them

**Commitment**

The nominated representative is required to attend four quarterly meetings of the Council of Governors, each meeting is scheduled for 2 - 2½ hours with an additional pre-meeting for all public, staff and appointed governors. In



addition, governors are also required to attend the Annual General Meeting, mandatory development sessions and where possible the quarterly Local Constituency Meetings.

**Financial Commitment (if any)**

None

**Attendance – Requirement**

It would be useful for the representative governor to have a local knowledge of health issues within the constituency in which they represent, however it is important to note the Trust’s constitution does not allow for an individual to fulfil both roles of a Governor and member of the Health Overview and Scrutiny Committee

**Southern Pennine Rural Regeneration Company (formerly Pennine Prospects) - 1 Place RA**

Contact: Sarah Ross, Office and Business Manager, Butlers Wharf, Hebden Bridge West Yorkshire HX78AF West Yorkshire Tel: 0161 624 4497

[emily.stevenson@southpeninepark.org](mailto:emily.stevenson@southpeninepark.org)

			Notes
Jabbar			Cab Mem preferred

**Purpose**

It is a unique rural regeneration company that aims to promote, protect and enhance the built, natural and cultural heritage of the South Pennines. Pennine Prospects works with local authorities, government agencies, businesses, voluntary organisations and the local community to deliver a range of initiatives. It is a mature, cross-sector partnership, with member organisations made up of 6 local authorities, 2 utility company, statutory agency, Natural England, NGOs – The National Trust and Pennine Heritage and the voluntary sector.

**Benefits to Council**

Pennine Prospects is at the heart of sustainable development for the South Pennines. It works to manage and enhance the area’s natural, cultural and heritage assets so that they contribute to the social, economic and environmental wellbeing of the South Pennines. Pennine Prospects also seeks to create opportunities through developing programmes and projects that supports the South Pennines and those people who live, work or enjoy the area, including the seven million residents of the surrounding conurbations through health & wellbeing, recreation and leisure and sustainable economic opportunities.

**Commitment**

The Company has a Board of Directors that meet 4 times a year – June, September, December, February. The meetings are often hosted by our member organisations such as the local authorities

The commitment of the Director is dependent on what their engagement and involvement is – the basic is 4x meetings a year, normally held on a Friday morning.

**Financial Commitment (if any)**

£9,000 p.a.

**Attendance – Optional**

Deemed value for money to deliver priorities, aims and objectives of the Council's strategy in partnership. The Council has been part of Pennine Prospects since its inception in 2005 and was instrumental in its setting up.

**Positive Steps Board – 4 places**

Contact: Cliff Shields Tel: 0161 621 9339

Medtia Place, 80 Union Street, Oldham OL1 1DJ [cliffshields@positive-steps.org.uk](mailto:cliffshields@positive-steps.org.uk)

Islam			Notes
Harrison			
Nasheen			
Williamson			

**Purpose**

To provide strategic direction and governance to the senior management of the Positive Steps Charitable Trust. Appointed as advisory representative to the board .

**Benefits to Council**

To inform and influence the workings of a key commissioned delivery partner providing an Early Help and an Integrated Support Service for Young People across Oldham covering Prevention and Reduction of Youth Offending, NEET prevention, Young Carers, and Missing from Home

**Commitment**

Attend quarterly meetings held on a Tuesday evening plus an Annual General Meeting

**Financial Commitment (if any)**

Not applicable

**Attendance – Requirement/Optional**

At least one representative needed to attend to enable a quorate meeting

**NW Reserve Forces and Cadets Association – 1 place – External –**

Contact: Cilla Morgan Tel: 0151 728 2061 NW RFCA, Alexandra Court, 28 Alexandra Drive, Liverpool L17 8YE [nw-ceps@rfca.mod.uk](mailto:nw-ceps@rfca.mod.uk)

			Notes
Rustidge			Armed Forces Champion

**Purpose**

- Promote the interests of the Armed Forces.

<ul style="list-style-type: none"> <li>• Champion of the volunteer ethos both within and outside the Services.</li> <li>• Our voluntary membership brings with it an unparalleled breadth of expertise and experience.</li> <li>• We support the work of third sector organisations which also contribute to the well-being of Service personnel &amp; dependents, veterans and youth.</li> <li>• We supplement government funding through income generation for our dependencies.</li> <li>• Not-for-profit organisation with demonstrable value for money</li> </ul>
<p><b>Benefits to Council</b> Closer liaison with the local armed forces and cadets.</p>
<p><b>Commitment</b> The Association membership meets once per year usually in June for the Annual General Meeting.</p>
<p><b>Financial Commitment (if any)</b> None</p>
<p><b>Attendance – Requirement</b></p>

<p><b>University of Manchester General Assembly – 1 place</b> Contact: Deputy Secretary to the Council &amp; Senate, Tel: 0161 306 3772 The University of Manchester, John Owens Building, Oxford Road, Manchester M13 9PL <a href="mailto:deputysecretary@manchester.ac.uk">deputysecretary@manchester.ac.uk</a></p>			
			Notes
<b>Ali</b>			
<p><b>Purpose</b> The General Assembly is the forum where legitimate interests in the affairs of the University can be heard and is the medium through which the University can present itself and its achievements to its broader ‘constituencies’.</p>			
<p><b>Benefits to Council</b> tains and develops links, and the purpose of the Assembly is to act as a two-way channel of communication through which the University presents its achievements to its broader ‘constituencies’ and receives feedback and advice on matters relating to University business.</p>			
<p><b>Commitment</b> It meets twice annually (in January and in June), receives reports from the President and Vice-Chancellor and discusses matters of general importance to the University as a whole. The meetings start at 3:00 pm and last approximately 2 hours. On occasion, there may be a celebration event or dinner, to which the General Assembly members are invited, but attendance at these is not mandatory.</p>			
<p><b>Attendance – optional</b></p>			

<b>Youth Justice Management Board – 1 place RA</b> Contact: Helen Wood, Level 3 Civic Centre West Street OL1 1NL			
			Notes
<b>Mushtaq</b>			
<b>Purpose</b> The Youth Justice Management Board will have strategic responsibility for ensuring the effective delivery of the Youth Justice Service and the youth crime prevention agenda, providing support and challenge where necessary in order to achieve maximum benefit.			
<b>Benefits to Council</b> Assisting the Youth Justice Service in delivering and developing its approaches to working holistically with families the board will support the youth justice service to: <ul style="list-style-type: none"> <li>• Prevent Youth Crime (including youth violence)</li> <li>• Reduce re-offending (including use of custody)</li> <li>• Safeguard young people at risk of, or involved in, the criminal justice system</li> <li>• Protect the Public</li> </ul>			
<b>Commitment</b> Quarterly meetings			
<b>Financial Commitment (if any)</b> None			
<b>Attendance – Optional</b>			

<b>Joint Health Overview &amp; Scrutiny Committee for the NHS Northern Care Alliance – 3 places (1 Lab, 1 LD and 1 Cons + Subs)</b> Contact: Constitutional Services, Oldham MBC. Tel: 0161 770 5151 Oldham MBC, Civic centre, West Street, Oldham, OL1 1UL <a href="mailto:constitutional.services@oldham.gov.uk">constitutional.services@oldham.gov.uk</a>			
Lab	LD	Con	Notes
<b>McLaren</b>	<b>Hamblett</b>	Adams	
<b>Purpose</b> The Committee was established jointly by Bury, Oldham, Rochdale and Salford councils, to consider issues affecting the health of local people (the overview role) and to call the NHS into account on behalf of the local communities (the scrutiny role). Each of these Councils has appointed 3 representatives to sit on the Committee.			
<b>Benefits to Council</b> Scrutiny work is undertaken on behalf of Oldham Council			
<b>Commitment</b>			

The committee meets four times a year and as well as possible additional ad-hoc task and finish groups. Meetings usually starts at 2.00pm

**Financial Commitment**

N/A – Oldham MBC hosts the Committee

**Attendance – Requirement**

**Pennine Care NHS Trust – Joint Mental Health Overview & Scrutiny Committee- 3 places (1 Lab, 1 LD and 1 Cons + Subs)**

Contact: Committee Service; Tel 01706 924715 Rochdale Borough Council, Floor 2, Number One Riverside, Smith Street, Rochdale, OL16 1XU  
[committee.services@rochdale.gov.uk](mailto:committee.services@rochdale.gov.uk)

Lab	LD	Con	Notes
<b>McLaren</b>	<b>Hamblett</b>	<b>Byrne</b>	

**Purpose**

The Committee was established jointly by Bury, Oldham, Rochdale, Stockport and Tameside councils, to consider issues affecting the health of local people (the overview role) and to call the NHS into account on behalf of the local communities (the scrutiny role). Each of these Councils has appointed 3 representatives to sit on the Committee.

**Benefits to Council**

Scrutiny work is undertaken on behalf of Oldham Council

**Commitment**

Each committee meets four times a year and as well as additional ad-hoc task and finish groups. Pennine Care usually starts at 2.00pm.

**Financial Commitment**

The Council jointly funds a post, invoiced annually £2400 per committee.

**Attendance – Requirement**

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**OLDHAM METROPOLITAN BOROUGH COUNCIL****APPOINTMENT TO OUTSIDE BODIES – 2024/25****OMBC****RA – Ruling Administration****OPP – Opposition**

<b>ACE Centre – 1 place RA</b> Contact: Michael Ritson, Senior AAC Consultant, Ace Centre North, Hollinwood Business Centre, Albert Street, Oldham, OL8 3QL <a href="mailto:mritson@acecentre.org.uk">mritson@acecentre.org.uk</a>			
			Notes
<b>Nasheen</b>			
<b>Purpose</b> Ace Centre is a registered charity (No. 1089313) providing support for people with complex communications difficulties. It offers assessment, training and information services across England, with a focus on Augmentative and Alternative Communication (AAC) and Assistive Technology (AT), delivered by a multi-disciplinary team of specialist teachers, occupational therapists, speech & language therapists with the support of technical and administrative staff.			
<b>Benefits to Council</b> Unknown			
<b>Commitment</b> Unknown			
<b>Financial Commitment (if any)</b> None			
<b>Attendance –Optional</b>			

<b>Community Safety Partnership – 3 Places 2 RA + 1 Opp</b> Contact: Neil Consterdine, Director of Communities Tel: 0161 770 8734 Level 4, Civic Centre, West Street, Oldham OL1 1UL <a href="mailto:neil.consterdine@oldham.gov.uk">neil.consterdine@oldham.gov.uk</a>			
Lab	Opp		Notes
<b>Dean</b>	<b>Al-Hamdani</b>		Relevant Cabinet Member and Deputy
<b>A. Hussain</b>			
<b>Purpose</b> The CSCP Partnership has strategic oversight and responsibility for the delivery of the CSCP Plan. This plan aligns with the Police and Crime			

Commissioner priorities and the safety and cohesion of residents of the Borough
<b>Benefits to Council</b> Delivers key strategic objectives, statutory council duty, holds partners to account.
<b>Commitment</b> The Partnership meets on a quarterly basis at the Civic Centre
<b>Financial Commitment (if any)</b> In kind resources
<b>Attendance – Requirement</b>

<b>Corporate Parenting Panel – 6 places</b> Contact: Nick Whitbread, Reviewing Officer, Level 3, Civic Centre, West Street, Oldham, OL1 1UG. Tel: 0161 770 <a href="mailto:Nick.Whitbread@oldham.gov.uk">Nick.Whitbread@oldham.gov.uk</a>			
Lab	LD	Con	Notes
<b>Mushtaq</b>	<b>Bishop</b>	<b>Byrne</b>	Lead member for Children currently but could be any Cabinet member
<b>Moore</b>			
<b>Harrison</b>			
<b>Davis</b>			

<b>Domestic Violence Partnership – 2 Places</b> Contact: Bruce Penhale, Early Help Service Manager, Level 9 Civic Centre, Oldham Tel: 0161 770 4196 <a href="mailto:Bruce.Penhale@oldham.gov.uk">Bruce.Penhale@oldham.gov.uk</a>			
			Notes
<b>Dean</b>			1 Cabinet Member + 1
<b>Nasheen</b>			
<b>Purpose</b> To oversee the implementation of the DV Strategy through the delivery plan. To consider DV trends (calls for service, prosecutions, victims supported etc.) One of the key areas we are looking at currently is the impact of DV on children.			
<b>Benefits to Council</b> The benefits to the Council are through partnership and co-operative working. The DVP is now co-chaired by a 3rd sector representative. Working in this way allows us to share practice and learning whilst having the benefit of partnership scrutiny and transparency.			
<b>Commitment</b> It meets every two months and is usually scheduled from 12pm to 2pm in one of the Civic Suites. The next one is scheduled for the 8th December and will be in the Crompton Suite. We haven't had regular Cllr attendance at recent			



meetings however we ensure they are kept up to date and are sent all the relevant information.
<b>Financial Commitment (if any)</b> None The Council contributes to the DV response in Oldham through the mainstream budgets (Community Safety and Early Help).
<b>Attendance – Optional</b>

**Fostering Panel – 1 place 1 RA**  
 Contact: Maris Elkington, Fostering Team Manager, Tel: 0161 770 6534.  
 Unit 10 Whitney Court, Southlink Business Park, Oldham OL4 1DB  
[Lisa.Oates@oldham.gov.uk](mailto:Lisa.Oates@oldham.gov.uk)  
[Maris left several years ago – Lisa Oates is the contact](#)

			Notes
<b>Harrison</b>			Must commit to attend 75% of meetings (legislation) – no sub allowed

**Purpose**  
 Fostering panels are a regulatory body with a crucial role in monitoring foster care for our looked after children. The main role is to make decisions about the approval, terms of approval and assessing the continuing suitability of foster carers including relatives under assessment for children subject to care proceedings. The overriding objective is to promote the welfare of children and quality assure the services provided to families in need of safeguarding intervention

**Benefits to Council**  
 As a council we compete to recruit carers and the panels effective function is crucial to our reputation, alongside ensuring we provide a safe, high quality service to children and families

**Commitment**  
 There are 18 panels a year minimum, lasting 4-7 hours each

**Attendance – Requirement** as corporate parent

**Oldham Learning Disability and Autism Collaborative – 2 Places 1 RA + Opp**  
 Contact: Joe Charlan, Tel: 0161 770 3198 Planning and Commissioning Manager (Learning Disability and Autism), Civic Centre, West Street, Oldham, OL1 1UT [joe.charlan@oldham.gov.uk](mailto:joe.charlan@oldham.gov.uk)

Lab	Opp		Notes
<b>Brownridge</b>	<b>Hamblett</b>		One appointee should be the Cabinet Member

			(Social Care and Safeguarding)
<b>Purpose</b>			
The Board is a group of professionals, carers and self-advocates who meet on a regular basis, working together to make Oldham a better place to live for people with learning disabilities.			
<b>Benefits to Council</b>			
In self-assessment returns having partnership boards is seen as constructive and a positive way of involving stakeholders in a locality's developments.			
<b>Commitment</b>			
6 times per year, once every two months. Meets at Civic Centre, Lead Member for Social Care and Safeguarding usually chairs the meeting.			
<b>Financial Commitment (if any)</b>			
The resources it takes to host the meetings (minutes, facilitating and refreshments provided etc.)			
<b>Attendance –Optional</b>			
This is not a board/meeting that we are obliged to host/hold and it is seen as favourable when submitting Dept of Health self-assessments on Learning Disability and/or Autism.			

<b>MioCare and Support – 4 places 3 RA + 1 Opp</b>			
Contact: Karl Dean, Managing Director of the MioCare Group, Tel: 0161 770 8777, Ena Hughes Resource Centre, Ellesmere Street, Failsworth, M35 9AD, email: <a href="mailto:Velarie.Perrins@oldham.gov.uk">Velarie.Perrins@oldham.gov.uk</a>			
Lab	Opp		Notes
<b>Marie Bashforth</b>	<b>Hamblett</b>		
<b>Moore</b>			
<b>Fida Hussain</b>			
<b>Purpose</b>			
The MioCare Group provides care and support services across the borough. The MioCare Group is a Community Interest Company that is wholly owned by Oldham Council.			
<b>Benefits to Council</b>			
As a wholly Council owned group of companies the Council underwrites any liabilities. Having elected members as advisory representatives to the Board ensures that the strategic direction is aligned with the Council, performance is monitored and risks are managed.			
<b>Commitment</b>			
The Board meets quarterly and there are two sub-committees that also meet quarterly. The Board comprises 3 x external Non-Executive Directors and the Managing Director is also a company director.			
<b>Financial Commitment (if any)</b>			

**Attendance – Requirement**

All associated papers read and members contribute to discourse.

**Oldham Council Music Awards – 5 places 3 RA + 2 Opp**

Contact: Michelle Millward, Oldham Music Service, Lyceum Buildings, Union Street, Oldham OL1 1QG Tel: 0161 770 5668

[Michelle.Millward1@oldham.gov.uk](mailto:Michelle.Millward1@oldham.gov.uk)

Lab	LD	Con	Notes
<b>Dean</b>	<b>Marland</b>	<b>Sharp</b>	
<b>Davis</b>			
<b>Taylor</b>			

**Purpose**

The fund is made up of 2 trusts re Archer & Marjorie Tate fund and are awarded to students who live in Oldham to develop their musical skills, either within the borough of Oldham or at a full time Music Conservatories or other full time higher education establishments. These awards are made to assist with the costs associated with students intending on pursuing a career in music.

**Benefits to Council**

The fund was given to the Council to help students and their musical aspirations and has been going for quite a few years. The costs associated with pursuing a career in music are very high and this award does make a difference to the students who apply. The interest it accumulates currently is not sufficient to keep the balance topped up and at some point in the future, it is anticipated that the monies will reduce so that no further awards will be able to be paid.

**Commitment**

The committee meets once a year usually August time at the Lyceum, when each application is discussed and awards allocated. The decisions made are by the Councillors on the committee.

**Attendance – Requirement****Oldham Distress Fund – 2 places RA; 1 place Opposition**

Contact: Constitutional Services Tel: 0161 770 5151, Constitutional Services, Level 4, Civic Centre, West Street, Oldham, OL1 1UG,

[constitutional.services@oldham.gov.uk](mailto:constitutional.services@oldham.gov.uk)

Lab	Opp		Notes
<b>Goodwin</b>	<b>Harkness</b>		
<b>Jabbar</b>			

**Purpose** The Oldham Distress Fund (the trust) is a registered charity, number 225145, The trust was re-established in 2012 based on the Terms of Reference for the relief of poverty and hardship of people living in the Borough of Oldham in response to the gas explosion which occurred in Shaw in June 2012. The trust will comprise 3 members of the Council. The Chair

will be appointed from amongst their number at the meeting. All trustees will give their time freely and no trustee will be paid remuneration in the year.

**Benefits to Council**

The benefit to the Council is that it provides an opportunity for the Council to respond as a matter of urgency to any emergency situation whereby funds are needed.

**Commitment**

It meets annually for about an hour.

**Attendance – Requirement**

**Oldham Strategic Housing Board - 3 Places**

Contact: Bryn Cooke Tel: 0161 770 4134 Level 3, Room 310, Civic Centre, West Street, Oldham, OL1 1UH [bryn.cooke@oldham.gov.uk](mailto:bryn.cooke@oldham.gov.uk)

Lab	Opp		Notes
<b>Taylor Goodwin</b>	<b>Al-Hamdani</b>		Cabinet Member (Neighbourhoods and Co-operatives) + 1

**Purpose**

The Oldham Strategic Housing Board is a multi-agency partnership meets every two months and is serviced through officers at the Council. It is responsible for overseeing progress on the Oldham Housing Strategy and on approving plans to improve the quantity, quality and access to housing across the borough.

**Benefits to Council**

The benefits to the Council are that it provides an opportunity to engage with partners at a strategic level on Housing and ensure engagement in work around a variety of themes.

**Commitment**

The meetings are quarterly, last 2 hours and there are 3 elected member representatives, including the Housing portfolio holder who chairs the meetings.

**Attendance – Optional**

**PFI and Housing Revenue Account Board – 1 place RA**

Contact: Bryn Cooke Tel: 0161 770 4134 Level 3, Room 310, Civic Centre, West Street, Oldham, OL1 1UH [bryn.cooke@oldham.gov.uk](mailto:bryn.cooke@oldham.gov.uk)

			Notes
<b>Taylor</b>			

**Purpose**

The PFI and Housing Revenue Account Board is responsible for ensuring effective overview and governance of the Council's two Housing Private

Finance Initiative schemes and overseeing the Housing Revenue Account in which the finances sit for both PFI schemes.

**Benefits to Council**

The benefit to the Council is that it provides an opportunity for the portfolio holder and officer representatives to assess performance on the PFI schemes and individual projects within the Housing Revenue Account

**Commitment**

It meets Quarterly for an hour and a half.

**Attendance – Requirement**

**Standing Advisory Council for Religious Education**

Contact: Tony Shepherd, Assistant Director of Education and Early Years - [Tony.shepherd@oldham.gov.uk](mailto:Tony.shepherd@oldham.gov.uk)

		Cons	Notes
<b>Mohon Ali</b>		<b>Cllr Byrne</b> (from May 2023)	<b>3-year term of office, to be re-appointed May 2023 and 2025</b>

**Purpose**

The Standing Advisory Council on Religious Education (SACRE) advises on Oldham’s agreed syllabus for Religious Education, publishes an annual report, conducts regular meetings, monitors the quality and provision of Religious Education in all maintained and voluntary controlled schools and receives complaints in relation to Religious Education and collective worship.

**Benefits to Council**

Meets statutory duties as laid down by Parliamentary Act

**Commitment**

Meets termly, at least 3 times annually

**Attendance – Requirement** - need not be an elected Member

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**OLDHAM METROPOLITAN BOROUGH COUNCIL****APPOINTMENT TO OUTSIDE BODIES – 2024/25****JOINT VENTURES****RA – Ruling Administration****OPP – Opposition**

<b>Foxdenton Development Board – 3 Places (Relevant Cabinet Members)</b>			
Contact: Emma Barton Tel: 0161 770 4846 Oldham Council. <a href="mailto:emma.barton@oldham.gov.uk">emma.barton@oldham.gov.uk</a>			
			Notes
<b>Shah</b>			
<b>Taylor</b>			
<b>Jabbar</b>			
<b>Purpose</b>			
<p>In 2014, Oldham Council set up a Joint Venture company (JV Co) to bring forward the Foxdenton scheme (now named Broadway Green). The two shareholders in the 50:50 JV Co are the Council and the Developer. The Developer is Foxdenton LLP (Foxdenton LLP being a joint venture between Grasscroft Property and Seddons Construction). At the same time as entering into the partnership agreement with Oldham, the Developer also entered into a Development Management Agreement with the JV Co, to advise on development and funding strategies.</p> <p>The Joint Venture Company has a Management Board with no more than six Board Members. A maximum of three Board members can be appointed by both the Developer and the Council. The Management Board is responsible for the management and control of the business and the affairs of the JV Co and has the authority to do all things necessary to carry out the purpose of the JV Co, subject to Council approval.</p>			
<b>Benefits to Council</b>			
<p>The scheme will deliver up to 700,000 sq. ft. of employment space within a premium business park and up to 500 new homes. This is expected to bring 2,000 new jobs to the local area as well as much needed new housing. It will also provide a £5.4m annual boost to the local retail economy from new resident spending. Importantly, essential infrastructure will be delivered ahead of any other development and will include a new spine road connecting the A663 and B6189, with work set to begin in May 2017.</p>			
<b>Commitment</b>			
<p>Meetings of the Management Board are held at the Civic Centre, usually between the hours of 9am- 5pm. They can be held at any time upon a written request of a Board Member (subject to a minimum of 10 days' notice) and in any event at least every three months. Now that we are moving swiftly forward</p>			

to the delivery phase, Board meetings are currently being held every two months. The quorum for a meeting of the Management Board is two Board Members (one from the Council and one from the Developer). Each Board Member has one vote and decisions are determined by a majority vote.

**Financial Commitment (if any)**

The Council has transferred land into the JV Co (at market value) by way of a commercial loan. The Council has also agreed to contribute towards infrastructure works, which will benefit the wider area. In return for this commitment, the Council will receive a share of the development profits.

**Attendance – Requirement**

Council membership of the Management Board, is required under the terms of the JV partnership agreement.

**Meridian Development Company Ltd – 1 place 1 RA**

Contact: Becky Collinge Tel: 0161 626 6021

Meridian Business Centre King Street Oldham Lancs OL8 1EZ

[admin@interurbanestates.co.uk](mailto:admin@interurbanestates.co.uk)

			Notes
<b>Shah</b>			Leader of the Council to be appointed

**Purpose**

Meridian Development Company owns and manages a Grade II listed business centre and an adjoining 5.7 acres area of development land. The Company is seeking to develop the site for high end business and employment use.

**Benefits to Council**

The Council benefits from having immediate access to the skillset (both professional and business acumen) with two local private sector businessmen who have over 40 years' experience in the Manufacturing Development and Construction Industry.

**Commitment**

Council officers and their joint venture partners meet on a regular basis to oversee the company operations. The meetings take place either in the Conference room at the Business Centre or at a meeting room within the Civic Centre as appropriate.

**Financial Commitment (if any)**

The company is self-financing.

**Attendance – Requirement**

The Council and the Joint Venture partners are both shareholders in the company



**Oldham Community Leisure Ltd Management Committee – 2 Places 1 RA + 1 Opp**

Contact: Stuart Lockwood, Chief Executive Tel: 0161 207 7000 Oldham Community Leisure, Chadderton Wellbeing Centre, Burnley Street, Chadderton, Oldham OL9 0JW [stuart.lockwood@ocll.co.uk](mailto:stuart.lockwood@ocll.co.uk)

Lab	Opp		Notes
<b>A. Hussain</b>	<b>Sykes</b>		

**Purpose**

The Board of Directors ensures that OCL conducts its affairs in accordance with its stated purpose. It sets the policies, strategies and objectives, and then supervises the Chief Executive and his staff who are responsible for delivering them. The Board is accountable to the members through elections and the power of removal.

**Benefits to Council**

Benefits are that Council input is welcomed and taken into account when decision making for the company.

**Commitment**

Meetings take place on a quarterly basis, usually a Thursday evening, commencing around 5pm with refreshments and the meetings usually last no longer than a couple of hours. Papers are sent around a week in advance for consideration in advance of the meeting. There is the opportunity to be involved in sub committees such as HR, Audit & Risk, and Finance and or other working parties which come up periodically, but this is not mandatory and representatives are voluntary.

**Financial Commitment (if any)**

None

**Attendance – Requirement**

There are always two elected member roles filled at each time and the Council designate officers to these, rotating their period of office. OCL do not have input into the representatives, this is purely a Council decision and is also acknowledged that there will be two places available within the company rules.

**Oldham Community Power Ltd Management Board – 1 Place 1 RA**

Contact: Andrew Hunt, Strategy, Partnerships and Policy Manager Tel: 0161 770 6587, Room 317, Floor 3, Civic Centre, Oldham OL1 1UL  
[Andrew.Hunt@oldham.gov.uk](mailto:Andrew.Hunt@oldham.gov.uk)

			Notes
<b>Jabbar</b>			Relevant Cabinet member usually appointed
<b>Purpose</b>			
The Board comprises the Directors of Oldham Community Power Ltd, a Community Benefit Society which aims to install renewable energy equipment into schools, community centres and other public buildings. The Society is run to save building occupants money on their bills, generate green energy and to give Oldham residents the opportunity to own shares in a local co-operative renewable energy organisation.			
<b>Benefits to Council</b>			
Oldham Community Power supports the Council's co-operative agenda and is a key co-operative project demonstrating the principle of the Council investing in local co-operative businesses. It saves schools and community groups money on their electricity bills and gives residents an opportunity to invest.			
<b>Commitment</b>			
The Board meets approximately once every month. The Councillor commitment is optional but welcomed by the group.			
<b>Financial Commitment</b>			
The Council has £100,000 of Shares in the Society.			
<b>Attendance – Optional</b> - the Society's rules require that a seat be reserved on the Board for the Council.			

<b>Oldham Economic Development Association Board – 8 places (Directors appointed by Monitoring Officer)</b>			
Contact: Mr P Entwistle, Director of Legal Services Tel: 0161 770 4822 OMBC Legal Division, Civic Centre, West Street, Oldham, OL1 1UL			
			Notes
<b>Jabbar</b>	<b>Al-Hamdani</b>	<b>Arnott</b>	1 Cabinet Member Finance, 1 Deputy Finance, 1 Shadow Finance + 5 Elected Members
<b>Islam</b>			
<b>McLaren</b>			
<b>Fida Hussain</b>			
<b>Aftab Hussain</b>			
<b>Charters</b>			

**Oldham Property Partnership Limited (and associated OPP Ltd companies) – 2 places Leader of the Council + Leader of Opposition**  
 Contact: Bryn Cooke, PDI Team Leader, Development and Infrastructure  
 Tel: 0161 770 4134. Room 310, Level 3, Civic Centre, West Street, Oldham  
 OL1 1UL [bryn.cooke@oldham.gov.uk](mailto:bryn.cooke@oldham.gov.uk)

			Notes
<b>Shah</b>	<b>Sykes</b>		
<b>Taylor</b>			

**Southlink Developments Limited – 3 places (Director) 2 RA + 1 Opp**  
 Contact: Mr P Entwistle, Director of Legal Services Tel: 0161 770 4822 Room  
 328 Legal Division, OMBC, Civic Centre, Oldham, OL1 1UP  
[Paul.Entwistle@oldham.gov.uk](mailto:Paul.Entwistle@oldham.gov.uk)

			Notes
<b>Brownridge</b>	<b>Kenyon</b>		
<b>Jabbar</b>			

**Northern Roots – 2 places available as advisory trustees**

<b>Brownridge</b>			
<b>Jabbar</b>			

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**OLDHAM METROPOLITAN BOROUGH COUNCIL****APPOINTMENT TO OUTSIDE BODIES – 2024/25****APPOINTMENTS TO BODIES IN DISTRICT AREAS****RA – Ruling Administration****OPP – Opposition****Chadderton**

<b>Community First Oldham (Chadderton) Ltd (1 place) 1 RA</b>			
Contact: swilson@northconsulting.co.uk Tel: 0161 831 9722			
Building 1000, Kings Reach, Yew Street, Stockport, SK4 2HG			
			Notes
<b>McLaren</b>			

**East Oldham**

<b>East Oldham Children’s Centre District Advisory Board – 1 place RA</b>			
Contact: Karen Bennett, Beever Children’s Centre, Moorby St, Oldham			
OL13QU Tel: 0161-470-4260			
Email <a href="mailto:Karen.Bennett@bridgewater.nhs.uk">Karen.Bennett@bridgewater.nhs.uk</a>			
			Notes
<b>Charters</b>			
<b>Purpose</b> The District Advisory Board has oversight of and supports the District Children Centres			
<b>Benefits to Council</b> To ensure a high quality early years offer for families in Oldham			
<b>Commitment</b> To attend 1 meeting per quarter, attend any additional meetings, attend the Annual conversation.			
<b>Financial Commitment (if any)</b> None			
<b>Attendance – Requirement</b>			

**Failsworth and Hollinwood**

<b>Onwards (formerly Portico Housing Association) 2 places 2 RA</b>			
<b>The Avenues and Hollins Tenants Association Committee</b>			
<b>Contact:</b> Tel 0161 688 1763, 50 1 <sup>st</sup> Avenue Oldham OL8 3SH			
			Notes
<b>Aslam</b>			
<b>Davis</b>			

### Royton

<b>Royton Sick and Needy Charity – 6 places (Royton Councillors)</b> Contact: Constitutional Services, Tel: 0161 770 5151 Legal & Democratic Services, Civic Centre, West Street, Oldham, OL1 1UL			
Lab 1	Lib Dem 0	Con 3	Independent 2
<b>Bashforth</b>		<b>Adams</b>	<b>Hughes</b>
		<b>Arnott</b>	<b>Hurley</b>
		<b>Quigg</b>	
<b>Purpose</b> Charitable trust set up to apply the capital and endowments of the Trust for the benefit of needy and deserving sick persons of the district of Royton.			
<b>Benefits to Council</b> Ensuring the residents of Royton benefit fully from the Trust funds			
<b>Commitment</b> 3-4 meetings per year			
<b>Attendance – Requirement</b>			

### Shaw and Crompton

<b>Arthur Vernon Davies Charity (Shaw and Crompton) – 1 place Lib-Dem + 1 place (Mayor (ex-officio))</b> Contact: Constitutional Services, Tel: 0161 770 5151 Legal & Democratic Services, Civic Centre, West Street, Oldham, OL1 1UL			
<b>Mayor</b>	Lib Dem 1		Notes
	<b>Sykes</b>		
<b>Purpose</b> Charitable trust set up to relieve need, hardship or distress in persons resident in the ecclesiastical parishes of St James, East Crompton, St Mary, High Crompton and Holy Trinity, Shaw			
<b>Benefits to Council</b> Ensuring the residents of Shaw and Crompton benefit fully from the Trust funds			
<b>Commitment</b> Meetings are held four times per year at 4.30pm in the Civic Centre			
<b>Attendance – Requirement</b>			

**Hopwood Trust – 6 Trustees (2 Bowling Club Reps, 2 Cricket Club Reps, 2 Shaw & Crompton District Ward Councillors)**

Contact: Constitutional Services Tel: 0161 770 5151, Legal & Democratic Services, , Civic Centre, West St, Oldham OL1 1UL

<i>Robert G Horrocks</i>	<i>Michael Lee</i>	<b>Cllr Williamson</b>	Notes
<i>Vacancy</i>	<i>Glenn Rigby</i>	<b>Cllr Murphy</b>	

**Purpose**

Charitable trust set up to enable Crompton Cricket Club and Crompton Bowling Club and such other persons as they think fit, to use the land for cricket, bowling and other leisure purposes.

**Benefits to Council**

Ensuring the residents of Crompton benefit fully from the Trust facilities

**Commitment**

Meetings are held as and when – but one meeting should be held each year to approve the accounts.

**Attendance – Requirement**

**West Oldham**

**Community Group Network - 2 places RA**

Contact: Martin Holt, Villages Housing 2 Fircroft Road, Fitton Hill, Oldham OL8 2QN.

[siammartin@hotmail.com](mailto:siammartin@hotmail.com);

			Notes
<b>Hussain, J</b>			
<b>Nasheen</b>			

**Purpose**

An umbrella organisation of community groups in Hathershaw and Fitton Hill, which was formed during the New Deal for Communities (NDC) funding programme. The CGN took on the functions of the Honeywell Trust, which replaced from the NDC Board.

Some of the functions included were to have oversight of the NDC funded projects and facilities, however this has reduced over time as many facilities (Fitton Hill Neighbourhood Centre, Honeywell Centre) have been adopted by the Council

**Benefits to Council**

The relationship is an important one for the local Councillors.

**Commitment**

Frequency – 4 times a year, once per quarter.

Time – The meetings take place in the late afternoon/early evening on a weekday. Usually 5pm/6pm.

Duration: 1 – 2 hours.

**Financial Commitment (if any)**

None
<b>Attendance – Optional</b>

**Oldham Millennium Centre – 2 places 2 RA**  
 Contact: Dolly Green Tel: 0161 622 3812 Featherstall Road North, Oldham OL9 6QB  
[obamillenniumcentre@hotmail.co.uk](mailto:obamillenniumcentre@hotmail.co.uk)

			Notes
<b>Malik</b>			
<b>Islam</b>			

**Purpose**  
 The Council is a joint partner with the Oldham Bangladeshi Association (OBA) on the management committee for the Millennium Centre. The body is responsible for setting the strategic direction, oversight, facilities, and use of the community centre.

**Benefits to Council**

**Commitment**  
 Frequency – 4 times a year, once per quarter  
 Time – usually daytime, weekday, based on availability of committee members  
 Duration – 1-2 Hours

**Financial Commitment (if any)**  
 The only Council contribution financially tends to be in the award of grants from the District Executive or Councillors for the provision of annual activity. The Council does receive an annual rent for the building from the OBA.

**Attendance – Requirement**  
 Membership is a requirement as a liable partner and leaseholder of the centre.

**The Primrose Community Association – 1 place RA**  
 Contact: Jan Wade, 9 Magnolia Gardens, Primrose Bank, Oldham OL8 1HY  
 Tel: 0161 624 7202 [primrosecentre@gmail.com](mailto:primrosecentre@gmail.com)

			Notes
<b>Fida Hussain</b>			

**Purpose**  
 The Board of Trustees for the new PFI4 community centre has overview of the development of the centre and activities that benefit the local community.

**Benefits to Council**  
 The centre is part of the substantial investment in Primrose Bank from the PFI4 programme.

**Commitment:**



1 meeting per quarter
<b>Financial Commitment (if any)</b> None
<b>Attendance – Requirement</b> To attend the Board of Trustees meetings as an advisor

<b>ForHousing – Fitton Hill Community Voice - 2 places RA</b> Contact: Lisa Fowles, ForHousing 2 Fircroft Road, Fitton Hill, Oldham OL8 2QN. <a href="mailto:lisa.fowles@forhousing.co.uk">lisa.fowles@forhousing.co.uk</a> Tel: 07834126664			
			Notes
<b>Hussain, J</b>			
<b>Nasheen</b>			
<b>Purpose</b> Fitton Hill Community Voice gives residents influence over the management of properties in Fitton Hill which are owned by ForHousing. These properties were stock-transferred from OMBC to Villages Housing in 2005. In April 2019, Villages Housing merged with City West Housing Trust to form a single housing association within the ForViva Group. The new housing association is called ForHousing.			
<b>Benefits to Council</b> Fitton Hill Community Voice gives residents influence over the management of the Fitton Hill estate. Community Voice also considers applications for funding from ForHousing’s Community Fund which helps support residents to deliver projects which benefit the local area. Attending Community Voice meetings will help Council nominees to understand the priorities of local people and build awareness of ForHousing’s contribution in the area. There will also be opportunities to influence service delivery including masterplanning and the development of local offers.			
<b>Commitment</b> Frequency – 4 times a year, once per quarter Time – Usually day time, weekday Duration – 2 hours			
<b>Financial Commitment (if any)</b> None			
<b>Attendance – Requirement</b> ForHousing have maintained places for Council nominees in its terms of reference for Community Voice.			

<b>West Oldham Children’s Centre District Advisory Board – 1 place RA</b> Contact: Elaine Worthington, Oldham Children’s Centres, c/o Medlock Vale Children’s Centre, Honeywell Centre, Hadfield Street, Hathershaw, Oldham, OL8 3BP Tel: 0161 470 4305 <a href="mailto:Elaine.Worthington@bridgewater.nhs.uk">Elaine.Worthington@bridgewater.nhs.uk</a>			
			Notes
<b>Harrison</b>			

<p><b>Purpose</b> The District Advisory Board has oversight of and supports the District Children Centres</p>
<p><b>Benefits to Council</b> To ensure a high quality early years offer for families in Oldham</p>
<p><b>Commitment</b> To attend 1 meeting per quarter, attend any additional meetings, attend the Annual conversation.</p>
<p><b>Financial Commitment (if any)</b> None</p>
<p><b>Attendance – Requirement</b></p>

**OLDHAM METROPOLITAN BOROUGH COUNCIL****APPOINTMENT TO OUTSIDE BODIES – 2024/25****AGMA/GMCA APPOINTMENTS****RA – Ruling Administration****OPP – Opposition**

<b>GM Combined Authority – 1 place Leader + 1 sub</b> Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA			
			Notes
<b>Shah</b>			
<b>Sub Taylor</b>			

<b>AGMA Executive Board – 1 place Leader + 1 sub</b> Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA			
			Notes
<b>Shah</b>			Leader and one substitute member are sought
<b>Sub Taylor</b>			

<b>GM Health Scrutiny Committee – 1 place RA + 1 sub (non-cabinet members)</b> Contact: Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA <b>TO BE APPOINTED BY CORPORATE RESOURCES BOARD</b>			
			Notes
<b>Moore</b>			Chair of Health Scrutiny or Scrutiny Members. GM Political Balance applies
<b>Sub Davis</b>			

<b>Statutory Functions Committee – 1 place RA + 1 sub</b> Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA			
			Notes
<b>Dean</b>			Replicates GM Culture and Social Impact Fund Committee

<b>Sub Hussain, A</b>			
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<b>GM Culture and Social Impact Fund Committee – 1 place RA + 1 sub</b> Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA			
			Notes
<b>Dean</b>			Replicates Statutory Functions Committee
<b>Sub Hussain, A</b>			

<b>Christie Hospital NHS Foundation Trust – Council of Governors – 1 place RA Nomination (AGMA Executive to agree final membership)</b> Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA			
			Notes
<b>Moore</b>			No nomination required Cllr Moore has been appointed until 2025

<b>GMCA Audit Committee – 1 place RA Nomination (GMCA Executive to agree final membership)</b> Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA			
			Notes
<b>McLaren</b>			One nomination is sought from each GM Authority – cannot though be the Council Leader. Two substitute members are also sought.

<b>Clean Air Charging Authorities Committee– 1 place RA plus Sub</b> Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA			
			Notes
<b>Jabbar</b>			Executive Lead for Clean Air
<b>Sub Charters</b>			

<b>Greater Manchester Pensions Fund Management Panel – 1 place RA Nomination (AGMA Executive to agree final membership)</b>			
Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA			
			Notes
<b>Jabbar</b>			Cabinet Member, same Member to be on both the Greater Manchester Pensions Fund Management Panel and the Greater Manchester Pension Fund Management/ Advisory Panel
<b>Sub</b>			

<b>GM Work and Skills Forum – 1 place RA Nomination + 1 sub</b>			
Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA			
			Notes
<b>Mohon Ali</b>			GMCA recommend that the Lead member for Work and Skills be appointed
<b>Sub Nasheen</b>			

<b>Integrated Care Partnership Board – 1 place RA Nomination + 1 sub</b>			
Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA			
			Notes
<b>Brownridge</b>			Suggest Leader and GMCA sub Member
<b>Sub Bashforth</b>			

<b>Peoples History Museum – 1 place - Nomination (AGMA Executive to agree final membership)</b>			
Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA			
			Notes
<b>Dean</b>			

<b>Halle – 1 place - Nomination (AGMA Executive to agree final membership)</b>			
Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA			
			Notes
<b>Dean</b>			

<b>Planning and Housing Commission – 1 place RA Nomination (AGMA Executive to agree final membership)</b>			
Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA			
			Notes
<b>Taylor</b>			Political Balance Rules Apply Lead Member for planning and Housing preferred
<b>Sub</b>			

<b>Police Crime and Fire Panel – 1 place RA Nomination + 1 sub</b>			
Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA			
			Notes
<b>Goodwin</b>			Cannot be the Council Leader or substitute members of the GMCA
<b>Sub Charters</b>			

<b>Police, Crime and Fire Steering Group – 1 place RA Nomination and sub</b>			
Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA			
			Notes
<b>Goodwin</b>			Cannot be the Council Leader or substitute members of the GMCA
<b>Sub Charters</b>			

**Bee Network Committee – 1 place RA Nomination + 1 sub**

Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh  
 Manchester City Council, Town Hall, PO BOX 532, M60 2LA

			Notes
<b>Goodwin</b>			Committee comprises of 10 members: 1 member from each GM District, plus 1 substitute from each District (requesting that the Executive member with transport responsibility be appointed)
<b>Sub Charters</b>			

**Transport for the North AND Rail North Committee Substitute for GM Mayor – 1 place RA nomination (to be appointed by GMCA)**

Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh  
 Manchester City Council, Town Hall, PO BOX 532, M60 2LA

			Notes
<b>Goodwin</b>			1 substitute from across GM to be appointed by GMCA

**Transport for the North Audit and Governance Committee – 1 place and 1 sub RA Nomination (To be appointed by the GMCA)**

Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh  
 Manchester City Council, Town Hall, PO BOX 532, M60 2LA

			Notes
<b>McLaren</b>			
<b>Sub Goodwin</b>			

**Transport for the North Scrutiny Committee – 1 place and 1 sub RA Nomination (To be appointed by the GMCA)**

Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh  
 Manchester City Council, Town Hall, PO BOX 532, M60 2LA

			Notes
<b>Charters</b>			
<b>Sub Goodwin</b>			

<b>Transport for the North General Purposes Committee – 1 place and 1 sub RA Nomination (To be appointed by the GMCA)</b> Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA			
			Notes
<b>Goodwin</b>			
<b>Sub Charters</b>			
<b>GM Waste and Recycling Committee – 2 places RA (To be appointed by the GMCA)</b> Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh Manchester City Council, Town Hall, PO BOX 532, M60 2LA			
2 members	2 substitute members		Notes
<b>Davis Rustidge</b>			The Committee will have 15 members to ensure political proportionality and gender balance. Lead Exec Member for Waste where possible OMBC is requested to appoint 2 members and 2 substitute members.
<b>Purpose</b> The Greater Manchester Waste Disposal Authority (the Authority) was established on 1st January 1986 to dispose of waste collected by its constituent Waste Collection Authorities (WCAs) (namely Bolton MBC, Bury MBC, Manchester CC, Oldham Council, Rochdale MBC, Salford CC, Stockport MBC, Tameside MBC and Trafford MBC) and provide household waste recycling centres (HWRCs) for the use of members of the public. Waste disposal is now a CA function.			
<b>Benefits to Council</b> It is a statutory requirement for the Council to be involved with the decision making processes of waste disposal.			
<b>Commitment</b> The Authority meets 5 times a year usually on the Friday morning (group meetings start from 9.30am. Some changes could be made in June at the GMCA AGM.			
<b>Financial Commitment (if any)</b> The Council pays a levy (through monthly instalments) to the Authority plus the Council is responsible for paying the Authority Member allowances.			
<b>Attendance – Requirement</b>			



**Clean Air Scrutiny Committee – 1 place and 1 sub RA**

Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh  
 Manchester City Council, Town Hall, PO BOX 532, M60 2LA

			Notes
<b>Shuttleworth</b>			Cannot be a Member of Charging Authorities or Air Quality Committee
<b>Sub J Hussain</b>			

**Air Quality Administration Committee – 1 place and 1 sub RA**

Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh  
 Manchester City Council, Town Hall, PO BOX 532, M60 2LA

			Notes
<b>Jabbar</b>			Lead executive member for clean air
<b>Sub Charters</b>			

**GMCA Overview and Scrutiny Committee – comprises 20 members and 6 nominations are sought from each GM District (4 from the ruling group and 2 from opposition), in the order of preference if possible.**

**GMCA have recommended that elected members who have previously been appointed to the GMCA O&S Committee or those with a local scrutiny interest.**

**(6 nominations to comprise of 4 nominations (2 members and 2 substitutes) from the ruling party and 2 nominations (1 member and 1 substitute) from opposition parties)**

**Cannot be a Member of GMCA or Bee Network Committee.**

**2-year appointment where possible**

Contact: Sylvia Welsh

Manchester City Council, Town Hall, PO BOX 532, M60 2LA

			Notes
<b>McLaren Moores</b>	<b>Hamblett</b>		
<b>2 sub Hussain, J Iqbal</b>	<b>Al-Hamdani</b>		

**GM Homelessness Programme Board – 1 place RA Nomination 1 SUB**

Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh  
 Manchester City Council, Town Hall, PO BOX 532, M60 2LA

			Notes
<b>Taylor</b>			Lead Exec Member for Housing
<b>Sub Goodwin</b>			

**GM Children’s Board – 1 place RA appointment 1 SUB**

Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh  
 Manchester City Council, Town Hall, PO BOX 532, M60 2LA

			Notes
<b>Mushtaq</b>			Lead Exec Member for Children’s Services
<b>Sub Harrison</b>			

**Green City Region Board – 1 place RA Nomination**

Contact: Kerry Bond, Tel: 0161 234 3665 AND Sylvia Welsh  
 Manchester City Council, Town Hall, PO BOX 532, M60 2LA

			Notes
<b>Jabbar</b>			Lead Exec Member for Low Carbon

**OLDHAM METROPOLITAN BOROUGH COUNCIL****APPOINTMENT TO OUTSIDE BODIES – 2024/25****GM BODIES****RA – Ruling Administration****OPP – Opposition**

<b>Greater Manchester Forests Partnership – 2 places RA</b> Contact: Anne Carpenter, Finance & Admin Officer, Tel: 0161 872 1660. Red Rose Forest, 6 Kansas Avenue, Salford M50 2GL <a href="mailto:Anne@cityoftrees.org.uk">Anne@cityoftrees.org.uk</a>			
			Notes
<b>Goodwin</b>			Usually Cabinet member for Planning and Environment
<b>Jabbar</b>			
<b>Purpose</b> The role of the GM Forests Partnership is to bring synergies and focus to a number of key areas for Greater Manchester including- Highlighting the importance of trees and woods for Greater Manchester for; <ul style="list-style-type: none"> <li>• climate change adaptation and mitigation</li> <li>• image and inward investment</li> <li>• community health</li> <li>• managing water quality and quantity</li> <li>• biodiversity</li> <li>• timber products</li> </ul> Supporting and championing the development of the Manchester: City of Trees movement			
<b>Benefits to Council</b> The Council may contribute via donations or on a commissioned project basis.			
<b>Commitment</b> The Group will meet on quarterly basis			
<b>Financial Commitment (if any)</b>			
<b>Attendance – Requirement</b>			

**Greater Manchester Pension Fund Management/Advisory Panel – 1 place RA**

Contact: Mrs C Eaton, Senior Democratic Services Officer, Tel: 0161 342 3050. Democratic Services, Tameside MBC, Room 8, Town Hall, King Street, Dukinfield, Tameside SK16 4LA [Carolyn.eaton@tameside.gov.uk](mailto:Carolyn.eaton@tameside.gov.uk)

			Notes
<b>Jabbar</b>			Cabinet Member, same Member to be on both the Greater Manchester Pensions Fund Management Panel and the Greater Manchester Pension Fund Management/ Advisory Panel
<b>Purpose</b> To manage the pension fund			
<b>Benefits to Council</b>			
<b>Commitment</b> The Greater Manchester Pension Fund Management/Advisory Panel meet 4 times in a municipal year. In addition to this, Members are appointed to Working Groups (usually 2 working groups per Member) which also each meet quarterly.  Meetings are held at Guardsman Tony Downes House, 5 Manchester Road, Droylsden, Manchester. M43 6SF.  Panel meetings usually commence at 10.00am and are approximately 2 ½ hrs in duration. Working Groups meetings commence at a varying times – but are usually in the morning (Thursday/Friday) and can be anywhere between 1 – 2 ½ hrs duration, depending on the Group and the agenda.			
<b>Financial Commitment (if any)</b>			
<b>Attendance – Requirement</b>			



**Report to ANNUAL MEETING OF COUNCIL**

## **Constitution Report**

**Officer Contact:** Paul Entwistle/ Peter Thompson – Director of Legal Services/Interim Head of Democratic Services

**22<sup>nd</sup> May 2024**

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### **Reason for Decision**

To invite the Annual Meeting of the Council to consider amendments to the constitution and to re-affirm the Council Constitution as a matter of good governance

### **Recommendations**

That the Council re-affirms the Council Constitution, subject to the inclusion of revisions as identified in this report or any further matters that might be agreed at this Annual Meeting.

## **Constitution Report**

### **1. Introduction**

The Constitution is reviewed regularly to ensure it is fit for purpose. The main areas which it is recommended for amendment are:

#### **a) Terms of reference of committees**

Officers have reviewed the terms of reference of the Licensing and Appointments Committees and the Traffic Regulation Order Panel and amendments are recommended in Appendix 1 which includes for completeness all the terms of reference. If an earlier report on this agenda relating to the composition of committee sizes is approved, paragraph 4 of Appendix 1 reflects the recommended changes. The Licensing Committee terms of reference in the Licensing Panel functions section have been clarified. The Traffic Regulation Order Panel functions have been detailed where considered necessary to statutory powers. The Appointment Committee terms of reference have been clarified. It is also proposed that the Traffic Regulation Panel be renamed as the Highway Regulation Committee to reflect the various functions as undertaken by that committee which do not relate to traffic regulation matters.

#### **b) Scheme of Delegation for officers**

Subsequent to organisational changes, the reference to officer functions in Article 13 and in Part 3 require amendment and relevant extracts are contained in Appendix 2. In addition the Constitution requires updating to refer to the Assistant Chief Executive as the Statutory Scrutiny Officer.

#### **c) Reports to decision makers**

Benchmarking has been undertaken with other authorities with regard to information contained in reports and our reports contain a significantly larger number of specific headings to be completed. It is recommended that reports should include specific Finance, Legal and Equality Impact (including implications for Children and Young People) considerations with reference to other corporate matters within the body of the report. The proposed amendments to the Access to Information Rules contained in Appendix 3

#### **d) Executive decisions**

Under the Leader and Cabinet model of governance, key executive decisions may be made by executive members. A key decision is defined in the Constitution as including any decision where the expenditure or savings are over £250k. This has been the threshold for a key decision for many years but it is proposed that this threshold is maintained, notwithstanding that many local authorities have increased the figure. Call -in may be made of key decisions and it is proposed that this should also cover any non key decisions made by executive members. It is recommended that all key decisions should be made by Cabinet. There are a number of areas in the Constitution where this is referred.

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e) Policy Framework

The Policy Framework within Article 4 has been reviewed and updated and is revised in Appendix 4.

f) Council Procedure Rules

The Council Procedure Rules have been reviewed based on good practice in other authorities and experience at meetings. The proposed recommendations amendment are :

- (i) Consideration of motions- Rule 12.3 – it is proposed that a new provision is included that if notice is given of any motion which in the opinion of the Chief Executive, in consultation with the Mayor and Monitoring Officer is out of order, illegal, irregular or improper then it can be not accepted on the agenda.
- (ii) Rule 34 – clarifying that powers of chairs of committee are the same as those as mayor as chair

The recommended revised Council Procedure Rules are contained at Appendix 5.

**2 Options/Alternatives**

- 2.1 Option 1 – To re-affirm the Council Constitution with amendments as outlined.  
Option 2 – Not to agree to re-affirm the Council Constitution.

**3 Preferred Option**

- 3.1 Option 1 is the preferred option to ensure that the Council's governance framework remains valid and the Constitution can be relied upon in law.

**4 Consultation**

- 4.1 Discussions have taken place with members and officers.

**5 Financial Implications**

- 5.1 N/A

**6 Legal Implications**

- 6.1 Legal comments are provided in the body of the report.

**7 Co-operative Implications**

- 7.1 N/A

**8 Human Resource Implications**

- 8.1 N/A

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<b>9</b>	<b>Risk Assessments</b>
9.1	N/A
<b>10</b>	<b>IT Implications</b>
10.1	N/A
<b>11</b>	<b>Property Implications</b>
11.1	N/A
<b>12</b>	<b>Procurement Implications</b>
12.1	N/A
<b>13</b>	<b>Environmental and Health &amp; Safety Implications</b>
13.1	N/A
<b>14</b>	<b>Community cohesion, including crime and disorder implications in accordance with Section 17 of the Crime and Disorder Act 1998</b>
14.1	N/A
<b>15</b>	<b>Oldham Equality Impact Assessment, including implications for Children and Young People</b>
15.1	No
<b>16</b>	<b>Key Decision</b>
16.1	No
<b>17</b>	<b>Key Decision Reference</b>
17.1	No
<b>18</b>	<b>Background Papers</b>
18.1	None
<b>19</b>	<b>Appendices</b>
19.1	Appendix 1 – Terms of Reference Appendix 2 – Scheme of delegation to officers Appendix 3 – Extract from Access to Information Rules Appendix 4 – Extract from Article 4 on Policy Framework Appendix 5 – Council Procedure Rules





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## APPENDIX 1

### 4. RESPONSIBILITY FOR COUNCIL FUNCTIONS – COUNCIL COMMITTEES AND TERMS OF REFERENCE

#### 4.1 Committees and Memberships

4.1.1 The Council has established the following Committees with memberships and quoracy arrangements as follows –

<b>Committee</b>	<b>Membership</b>	<b>Quorum</b>
Planning Committee	14 Council Members	4 Members
Licensing Committee	15 Council Members	4 Members
Audit Committee	9 Council Members	3 Members
Traffic Regulation Order Panel	4 Council Members	3 Members
Commons Registration Committee	6 Council Members	3 Members
Charitable Trustee Committee	5 Council Members	3 Members
Employment Committee	7 Council Members, at least one of which must be an Executive Member.	3 Members
Appointment Committee	5 Council Members, at least one of which must be an Executive Member.	3 Members
Standards Committee	5 Council Members, 2 Parish Councillors and 4 Independent Persons	3 Members
Appeals Committee	5 Members	3 Members
Independent Panel	3 Independent Members	3 Members

Health and Wellbeing Board	At least one Council Member appointed by the Leader of the Council; the Council's Directors of Adult Social Services, of Children's Services, and of Public Health; representative of the Integrated Care Board; a Healthwatch representative; any additional person/body the Board or the Council (subject to consultation with the Board) thinks appropriate.	One Third
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The functions of Overview and Scrutiny committees are contained in Section 5

- 4.1.2 The ability of appointed Members to serve on certain Council Committees or Panels, or on certain Sub-Committees or Panels established by those bodies, may be dependent upon the appointed Members having attended such relevant training as may be determined by the Council.
- 4.1.3 The Terms of Reference for each of the above Committees are as follows –

## 4.2 Planning Committee

The Planning Committee will undertake Council (or 'non-executive') functions as defined in Part A of Schedule 1 of the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) in respect of planning applications and related matters as follows:

- (a)**
  - a) Applications for minerals or waste development.
  - b) The provision of (i) 20 or more dwellings; or (ii) residential development on a site area of 1 hectare or more.
  - c) The provision of a building or buildings where the floor space to be created by the development is 1000 square metres or more.
  - d) Retail, commercial, industrial, or other development on a site having an area of 1 hectare or more.
- (b)** Applications which require an environmental statement.
- (c)** Applications which are notifiable departures from the Council's Development Plan, other than applications which the Executive Director for Place and Economic Growth is minded to refuse.
- (d)** Applications to be considered under the referral procedure or referred at the discretion of the Head of Planning –
- (e)** Applications submitted by a Councillor, senior Council Officer (Officers on senior manager pay grade and above) or a member of staff employed within the Planning and Development Management service area, or by an immediate family member or partner of these persons, which would otherwise be delegated to the Executive Director, Place and Economic Growth.
- (f)** Applications to remove or vary conditions where the relevant planning condition was agreed by the Planning Committee in addition to those recommended in the Officer's report.
- (g)** Consultations from adjoining local authorities, including the Peak District National Park Authority, which fall into the categories 1 (a-d) above, where an objection is raised to the proposed development.
- (h)** The nomination of a Member of the Committee to represent the Council at any subsequent hearing or inquiry where the decision was made contrary to Officer advice.
- (i)** Major applications involving the Council either as applicant or land owner
- (j)** Minor applications involving the Council either as applicant or land owner where that application does not accord with the adopted Development Plan or there has been objection received to the application."

## 4.3 Licensing Committee

4.3.1 The Licensing Committee will undertake Council (or 'non-executive') functions as defined in Paragraph B to Schedule 1 of the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) to the extent of - a)

Functions under the Licensing Act 2003

- (i) Determining applications for, full variations and transfers of Club Premises Certificates (Alcohol and Entertainment) and Premises Licences (Alcohol, Entertainment and Late Night Refreshment) or provisional statements or re-instatement of licence where relevant representations are received and are not withdrawn;
- (ii) Determining Reviews and Summary Reviews of Club Premises Certificates and Premises Licences unless all parties reach agreement and a hearing is dispensed with;
- (iii) Making the decision to object to a Club Premises Certificate, Premises Licence or any other relevant application under the Act where the local authority is a consultee and not the lead authority;
- (iv) Withdrawal of a Club Premises Certificate (Alcohol and Entertainment) where the club ceases to be a qualifying club;
- (v) Determining applications for new Personal Licences (Alcohol) where relevant representations are made and not withdrawn;
- (vi) Determining reviews of Personal Licences;
- (vii) Determining applications to vary a Designated Premises Supervisor where a relevant representation is received;
- (viii) Determining applications for an Interim Authority where a relevant representation is received;
- (ix) Determining the Service of a Notice for a Temporary Event Notice where a relevant representation is received.

b) Functions under the Gambling Act 2005

- (i) Determining applications for, variations and transfers of Adult Gaming Centre, Betting, Bingo, Family Entertainment Centre and Track Betting Premises Licences or provisional statements or re-instatement of licence, where relevant representations are received and not withdrawn;
- (ii) Determining applications for, full variations and transfers of Club Premises Certificates (alcohol and entertainment) or provisional statements or re-instatement of licence, where relevant representations are received and not withdrawn;
- (iii) Reviewing Adult Gaming Centre, Betting, Bingo, Family Entertainment Centre and Track Betting Premises Licences and Club premises Certificates (alcohol and entertainment) unless all parties reach agreement and a hearing is dispensed with;

- (iv) Decision to object to Adult Gaming Centre, Betting, Bingo and Family Entertainment Centre Premises Licence applications where the local authority is a consultee and not the lead Authority;
  - (v) Determining applications and renewals of Club Gaming and Club Gaming Machines Permits where relevant representations are received;
  - (vi) Withdrawal of a Club Premises Certificate (alcohol and entertainment) where the club ceases to be a qualifying club;
  - (vii) Cancellation of Club Gaming Permits;
  - (viii) Cancellation or removal of authorisation for a Licensed Premises Gaming Machine permit;
  - (ix) Determination of a representation with regard to an Occasional Use Notice (gambling) or a Temporary Use Notice (gambling); (x) Revocation of a Small Society Lotteries registration.
- c) Functions under the Local Government (Miscellaneous Provisions) Act 1972/Town Police Clauses Act 1847 (as amended)
- (i) Determining, where so referred by the relevant Officer, applications for or renewal of a Hackney Carriage/Private Hire Driver's Licence where convictions, cautions, warnings, ASBOs, bind-overs or other information is disclosed in line with the Council's guidelines;
  - (ii) Determining reviews of Hackney Carriage/Private Hire Driver's Licences, other than suspension/revocation of licences in emergency or urgent circumstances (related to offences, investigations and conduct) pending review;
  - (iii) Determining, where so referred by the relevant Officer, applications and renewal applications for a Private Hire Operator's Licence where unspent convictions are disclosed which would deem the applicant to not be a fit and proper person or as otherwise considered appropriate by the relevant Officer;
  - (iv) Determining reviews of Private Hire Operators Licences;
  - (v) Determining, where so referred by the relevant Officer, applications for or renewal of a Hackney Carriage/Private Hire Vehicle licence;
  - (vi) Determining reviews of Hackney Carriage/Private Hire vehicle licences.
- d) Functions under the Local Government (Miscellaneous Provisions) Act 1982
- (i) Determining new applications for a Sex Shop/Cinema Licence;
  - (ii) Determining Renewal, Variations or Transfer of Sex Shop/Cinema Licence where relevant representations are received and not withdrawn;
  - (iii) Determining all Licence matters (other than Reviews) in relation to Sex Establishment Licences where relevant representations are received and not withdrawn;



- (iv) Determining Reviews of Sex Establishment Licence unless agreement has been reached by parties;
- (v) Determining refusals or revocations of Street Trading Licences (with the exception of daily permissions).
- e) any further functions relating to licensing, registration or a related permission within Paragraph B and more generally within Schedule 1, except for
  1. the grant, renewal, refusal, variation, suspension, cancellation or revocation of any licence, registration or permission; and
  2. such matters specifically delegated to another Committee or Panel.

4.3.2 The Licensing Committee will undertake such functions as may be specifically reserved to the Committee under the Licensing Act 2003 and the Gambling Act 2005.

4.3.3 The Licensing Committee may, to the extent permitted in law and after it has consulted with such parties as the law may require and/or whom it considers to be appropriate, establish conditions governing the administration of licensing matters, the conduct and behaviour of licence holders and, for technical requirements and specifications, licenced premises and vehicles.

4.3.4 The Licensing Committee may, from time-to-time, receive reports on the cultural, economic and tourism impact of its work and, as required by law or as it considers appropriate, make reports of its activity to other Council or Executive bodies.

#### 4.3.5 Licensing Panel

The Licensing Committee shall, as required by the Licensing Act 2003 and the Gambling Act 2005, establish a Sub-Committee or Panel to deal with such matters specified by that legislation and other matters as may be referred to that SubCommittee or Panel by the relevant Officer, the Committee or the Council, including –

- a) Licensing Act 2003 – such matters as referred to at 4.3.1(a)(i, ii, iv-ix) of the Licensing Committee terms of reference;
- b) Gambling Act 2005 - such matters as referred to at 4.3.1(b)(i-iii, v-x) of the Licensing Committee terms of reference; and
- c) Local Government (Miscellaneous Provisions) Act 1982 – such matters as referred to at 4.3.1(d)(i-v) of the Licensing Committee terms of reference.

The Licensing Panel shall comprise not less than three Elected Members drawn from Members of the Licensing Committee. The quorum for a Licensing Panel will be three Members. The Committee may establish more than one Licensing Panel and the membership of the Panels may be rotated as necessary amongst Members of the Committee.

#### **4.3.7 Licensing Driver Panel**

The Licensing Committee shall establish a Sub-Committee or Panel to deal with such matters as referred to at 4.3.1(c) of the Licensing Committee terms of reference related to Local Government (Miscellaneous Provisions) Act 1972/Town Police Clauses Act 1847 (as amended) as may be referred to the Panel by the relevant Officer.

The Licensing Driver Panel shall comprise seven Elected Members drawn from Members of the Licensing Committee. The quorum for a Licensing Driver Panel will be three Members.

## 4.4 Audit Committee

4.4.1 The Audit Committee will undertake the following Council (or 'non-executive') function as defined in Schedule 1 to the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) –

- a) Duty to approve the authority's statement of accounts, income and expenditure and balance sheet, or record of payments and receipts (as the case may be).

4.4.2 The Audit Committee shall, having regard to the CIPFA 'audit committee' guidance. In this regard it will:–

- a) be responsible for oversight of the Council's Internal Audit arrangements and will;
  - (i) approve the Internal Audit Charter, the Annual Audit Plan and performance criteria for the Internal Audit Service;
  - (ii) review summary findings and the main issues arising from internal audit reports and seek assurance that management action has been taken where necessary;
  - (iii) review and agree any improvements to the effectiveness of the antifraud and corruption arrangements throughout the authority;
  - (iv) consider the annual report from the Chief Internal Auditor;
  - (v) review the activities, processes and procedures of the Council having regard to the demonstration of an economic, efficient and effective use of resources and the delivery of Value for Money to Council Tax payers; and
  - (vi) review the effectiveness of the system of Internal Audit on an annual basis as per statutory requirements and the outcome of the review of compliance with Public Sector Internal Audit Standards.
  - (vii) Oversee the implementation of any recommended improvements where appropriate
- a) be responsible for oversight of the Council's relationship with the External Auditor, including consideration of
  - (i) the External Audit Plan of Work;
  - (ii) the external auditor's Audit Completion Report;
  - (iii) relevant reports issued by the External Auditor (with the exception of Public Interest reports and Statutory Recommendation reports made under Section 24 Schedule 7 of the Local Audit and Accountability Act 2014); and
  - (iv) issues arising from the audit of the Annual Statement of Accounts.
  - (v) Independent reviews undertaken by the Financial Reporting Council
- b) review Financial Procedure Rules and Contract Procedure Rules and make recommendations to the Council as to any changes considered necessary to those documents and procedures.
- c) undertake the following activities in respect of corporate governance –

- (i) approve the local code of corporate governance;
- (ii) assess the effectiveness of the authority's corporate governance arrangements;
- (iii) review the Annual Governance Statement and the progress made by the Council to address issues identified as risks when the financial statements are prepared;
- (iv) liaise, as necessary, with the Standards Committee on any matter(s) relating to the Codes of Conduct for both Members and Officers;
- (v) review Partnership and Project Governance within the Council;
- (vi) monitor compliance with data protection legislation;
- (vii) review the annual Treasury Management Strategy and policies and procedures and make recommendations to the responsible body; and
- (viii) review Treasury Management reports and make recommendations to the responsible body including update/changes to procedures.

4.4.3 The Audit Committee shall undertake the following activities in respect of Risk Management –

- a) assess the effectiveness of the Authority's Risk Management arrangements;
- b) review progress on the implementation of Risk Management arrangements throughout the authority; and
- c) consider the Corporate Risk Register on a regular basis to review the level of risk being faced by the Authority, review the progress made by the Council to address the risks identified to minimize the financial, operational and reputational impact to the Council
- d) consider the adequacy of resources available to manage the financial impact of a failure in risk management.

4.4.4 The Audit Committee shall undertake the following activities in respect of Information Governance.

- a. Assess the effectiveness of Information Governance policies and procedures
- b. Receive updates on key issues from the Council's Senior Information Risk Owner

## Traffic Regulation Order Panel

4.5.1 The Traffic Regulation Order Panel will undertake the following Council (or 'nonexecutive') functions as defined in Part 1 of Paragraph I to Schedule 1 of the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) –

- a) Power to create footpath, bridleway or restricted byway by agreement
- b) Power to create footpaths, bridleways and restricted byways
- c) Power to stop up footpaths, bridleways and restricted byways under Section 118 Highways Act 1980
- d) Power to determine application for public path extinguishment order
- e) Power to make a rail crossing extinguishment order
- f) Power to make a special extinguishment order
- g) Power to divert footpaths, bridleways and byways under Section 119 Highways Act 1980
- h) Power to make a public path diversion order
- i) Power to make a rail crossing diversion order
- j) Power to make a special diversion order
- k) Power to require applicant for order to enter into agreement under Section 119C Highways Act 1980
- l) Power to make an SSSI diversion order
- m) Power to decline to determine certain applications under Section 121C Highways Act 1980
- n) Power to apply for variation of order under section 130B Highways Act 1980
- o) Power to extinguish certain public rights of way under Section 32 Acquisition of Land Act 1981
- p) Power to make a modification order
- q) Power to include modifications in other orders
- r) Power to prepare map and statement by way of consolidation of definitive map and statement
- s) Power to designate footpath as cycle track
- t) Power to extinguish public right of way over land acquired for clearance
- u) Power to authorise stopping-up or diversion of footpath bridleway or restricted byway under Section 257 Town and County Planning Act 1990
- v) Power to extinguish public rights of way over land held for planning purposes
- w) Power to enter into agreements with respect to means of access
- x) Power to provide access in absence of agreement under Section 37 Countryside and Rights of Way Act 2000

4.5.2 The Traffic Regulation Order Panel shall also consider written representations in respect of the following matters and make recommendations to the Deputy Chief Executive –

- a) Traffic Regulation Orders
- b) Public Space Protection Orders.

#### 4.5.3 **Petitioner Panel**

The Traffic Regulation Order Panel will meet as the Petitioner Panel for the purposes of the Petitions Protocol at Part 5 of the Constitution.

### 4.6 **Commons Registration Committee**

4.6.1 The Commons Registration Committee will undertake the following Council (or 'non-executive') function as defined in the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) –

- a) To determine applications to:
  - (i) register common land or town or village greens;
  - (ii) amend or vary the register of common land; (iii) amend or vary the register of town or village greens; which the Director of Legal confirms have been duly made.

## 4.7 Charitable Trust Committee

4.7.1 The Charitable Trust Committee will discharge the functions of the Council where the Council acts as Trustee of –

- a) Public Open Space of Garden - Jubilee Gardens
- b) Werneth Park
- c) Sandy's Recreation
- d) Oldham Town Lands
- e) Playing Field and Recreation Ground
- f) Bardsley War Memorial
- g) Clayton Playing Fields
- h) William Mullins Legacy Fund
- i) Snipe Clough
- j) Ebenezer Particular Baptist Church Grants
- k) The Charles and Mary A Ward Recreation Ground
- l) Edward Street Gardens
- m) The North Moor Playgrounds
- n) Top O'th' Edge Recreation Ground
- o) Ellen Ludlam for an Open Space or Park
- p) King George's Field Shaw (Wren's Nest)
- q) Werneth Youth Centre
- r) Moorgate Quarry
- s) Lyceum
- t) Land @ Royton (in front of Our Lady's)
- u) Bishop's Park, Ripponden Road, Oldham
- v) 439 Middleton Road, Chadderton
- w) Failsworth Trust

and any further or future Trusts or bequests or arrangements where the Council is identified as the sole Trustee, including the consideration of matters where there is a conflict or potential conflict between the Council's interests and those of the beneficiaries of the charitable trusts.

4.7.2 To seek independent advice in order to make decisions as and when there is a conflict or potential conflict of interests.

## **4.8 Employment Committee**

- 4.8.1 The Employment Committee will, in pursuance of the Council or 'non-executive' function relating to the power to appoint staff, (except Chief and Deputy Chief Officers which is reserved to the Appointments Committee) and terms on which they hold office (including procedures for their dismissal) as defined in Schedule 1 to the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended), with reference to s112 of the Local Government Act 1972 –
- (a) Determine all local terms and conditions matters which are referred to them by the Chief Executive after consideration by the Local Negotiating Joint Consultative Committee.
  - (b) Determine all matters related to the Council's Reward Strategy.
- 4.8.2 The Employment Committee shall be consulted on the Council's Workforce Strategy.
- 4.8.3 The Employment Committee will establish a Sub-Committee to consider Stage 1 hearings under the Chief Executive Grievance Procedure.
- 4.8.4 The Employment Committee will establish a Sub-Committee (the 'Disputes Committee') with full delegated powers of the Council and the Executive (through a delegation from the Leader of the Council to the Executive Member(s) of the Disputes Committee) to resolve declared collective disputes.
- 4.8.5 The Employment Committee will establish a Sub-Committee (the 'Investigation and Disciplinary Committee with full delegated powers of the Council to, pursuant to Schedule 1 of the Local Authorities (Standing Orders) Regulations 2001 and subject to the requirements of the Council's Employment Procedure Rule, –
- (a) Make recommendations to Council as to the dismissal of the Head of Paid Service, Monitoring Officer and Chief Finance Officer;
  - (b) Take disciplinary action short of dismissal against the Head of Paid Service, Monitoring Officer and Chief Finance Officer;
  - (c) To suspend and keep under review the suspension of the Head of Paid Service, Monitoring Officer and Chief Finance Officer (other than in emergency situations requiring immediate suspension);
  - (d) To take disciplinary action up to and including dismissal against Chief Officers (as defined by the Local Government and Housing Act 1989 but with the exception of the Monitoring Officer and Chief Finance Officer);
  - (e) To take disciplinary action up to and including dismissal against such Deputy Chief Officers (as defined by the Local Government and Housing Act 1989) as determined by the Appointments Committee.



#### **4.8.6 Employment Committee Sub-Committees**

- a) The Sub-Committee established to consider Stage 1 hearings under the Chief Executive Grievance Procedure shall comprise three or five Members on a politically balanced basis, it being noted that involvement at this stage might exclude those Members from involvement in later stages or processes should the matter progress;
- b) The Sub-Committee established to act as the Dispute Committee shall comprise five members, one of whom must be an executive member with powers to act, on a politically balanced basis;
- c) The Sub-Committee established to act as the Investigation and Disciplinary Committee shall comprise three members, one of who must be an executive member, on a politically balanced basis.

#### **4.9 Appointments Committee**

4.9.1 The Appointments Committee shall, pursuant to Schedule 1 of the Local Authorities (Standing Orders) Regulations 2001 and subject to the requirements of the Council's Employment Procedure Rules –

4.8.7 Agree to the recruitment to posts of Chief Officer and the statement specifying the duties of the post, any qualifications, or qualities to be sought in the person to be appointed, and arrangements for the post to be advertised.

4.8.8 Determine whether recruitment to individual posts of Deputy Chief Officer or the discipline of individual Deputy Chief Officer postholders is to be undertaken either by elected Members or by or on behalf of the Head of Paid Service;

4.8.9 Agree to the recruitment to such posts of Deputy Chief Officer as being subject to recruitment by elected Members, the statement specifying the duties of the post, any qualifications or qualities to be sought in the person to be appointed, and arrangements for the post to be advertised;

4.8.10

- (a) Longlist, shortlist and interview for the post of Head of Paid Service/Chief Executive and recommend an appointment to Council;
- (b) Longlist, shortlist, interview and appoint to the posts of Chief Officer (as defined by s2 of the Local Government and Housing Act 1989);
- (c) Longlist, shortlist, interview and appoint to such posts of Deputy Chief Officer (as defined by s2 of the Local Government and Housing Act 1989) as determined by the committee.
- (d) Power to appoint Chief Officers and Deputy Chief Officers staff, and to determine the terms and conditions

- 4.8.11 The Appointments Committee will be the 'deciding committee' for the purposes of JNC Chief Officers and the making of representations prior to any potential redundancy situation.
- 4.8.12 To approve significant proposed changes on matters relating to Chief Officer posts including any senior management restructure at Chief Officer level relating to terms and conditions

#### **4.10 Standards Committee**

4.10.1 The Standards Committee supports the Council in pursuance of the duties of the Council under Chapter 7 of the Localism Act 2011 -

- a) the promotion and maintenance of high standards of conduct by Councillors, co-opted members, church and parent governor representatives and independent members;
- b) assisting Councillors, co-opted members and church and parent governor representatives and independent members to observe the Members' Code of Conduct;
- c) advising the Council on the adoption or revision of the Members' Code of Conduct and responses to consultation documents;
- d) monitoring the operation of the Members' Code of Conduct;
- e) advising, training or arranging to train Councillors, co-opted members, church and parent governor representatives and independent members on matters relating to the Members' Code of Conduct;
- f) dealing with any reports from the Monitoring Officer
- g) dealing with any complaints in line with the "Arrangements for dealing with complaints about the Code of Conduct for Members" [The standards subcommittee will consider hearings and referred assessments (the composition of the sub-committee is such Council Members from the Standards Committee as determined (currently three), one independent person and one parish/councillor where the matter relates to a parish council complaint)]; and
- h) the exercise of (a) to (g) above in relation to Parish Councils wholly or mainly in the Borough and the members of those Parish Councils.
- i) Granting dispensations under Section 33 of the Localism Act 2011.

#### 4.11 **Appeals Committee**

4.11.1 In accordance with Section 2 (Local Choice Functions) of this Part, unless otherwise provided for in legislation, to hear and determine appeals in accordance with relevant legislation and guidance including:

- employment appeals;
- aids and adaptations appeals;
- home to school transport appeals; and
- terminations of tenancy at will.

4.11.2 To hear Stage 2 hearings under the Chief Executive Grievance Procedure.

## **4.12 Independent Panel**

4.12.1 The Independent Panel will discharge the following function in pursuance of the duties of the Council under s2 of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 –

- a) To advise the Authority on the matters relating to the dismissal of relevant Officers of the Authority.

#### **4.13 Health and Wellbeing Board**

1. To assess the health needs of the local population and to prepare and publish the statutory Joint Strategic Needs Assessment (JSNA) in accordance with s196 of the Health and Social Care Act 2012;
2. To prepare and publish the Borough's Health and Wellbeing Strategy [the Oldham Locality Plan] in accordance with s196 of the Health and Social Care Act 2012;
3. To approve submission of the Better Care Fund Plan to NHS England;
4. To highlight and oversee action to address the health inequalities existing in the Borough, encouraging those persons and organisations holding responsibility for the commissioning or provision of public services in the Borough to work together in an integrated and/or partnership manner for the benefit of the local population;
5. To ensure that the Council complies with its duties to improve public health as set out in Sections 2B and 111 of the National Health Act 2006 as amended;
6. To receive and oversee plans to protect and improve the health of the local population
7. To be consulted by the GM Integrated Commissioning Board and/or the Locality Board in respect of those documents and plans detailed at s14Z of the National Health Service Act 2006 (as amended)
8. To receive those documents and plans from the Integrated Commissioning Board and/or the Locality Board as detailed at s14Z of the National Health Service Act 2006 (as amended)
9. To assess the need for pharmaceutical services in the Borough area and publish a Pharmaceutical Needs Assessment and any revised Assessment, pursuant to s128A of the NHS Act 2006 (as amended).
10. To undertake such oversight of local safeguarding arrangements as the Board considers appropriate and necessary;
11. To undertake, jointly with the Bury and Rochdale Health and Wellbeing Boards, such oversight of the Bury, Oldham and Rochdale Child Death Oversight Panel as the Board considers appropriate and necessary.

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**APPENDIX 2**  
**PART 2: ARTICLE 13 - OFFICERS**

**13.1 Management structure**

**13.1.1 General**

The Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions.

**13.1.2 Chief and Deputy Chief Officers.**

The Council has engaged persons for the following posts, who will be designated Chief Officers:

<b>Post</b>	<b>Functions and areas of responsibility</b>
a) Chief Executive	Statutory Head of Paid Service; Overall corporate management and operational responsibility (including overall management responsibility for all officers); Provision of professional advice to all parties in the decision making process; Together with the Monitoring Officer, responsibility for a system of record keeping for all the Council's decisions; Representing the Council on partnership and external bodies (as required by statute or the Council); Community leadership; Corporate resources
c) Deputy Chief Executive (Place)	Deputising for the Chief Executive Managing the areas of Environmental Services, Economy and Communities

13.1.3 For the purposes of the Employment Procedure Rules at Part 4H of this Constitution, the following posts are also regarded as Chief Officers –

- Managing Director of Children’s Services
- Director of Adult Social Services
- Director of Legal;
- Director of Finance;
- Director of Public Health
- Assistant Chief Executive.

## APPENDIX 2

### **9. OFFICER SCHEME OF DELEGATION**

#### **Section 9A – Introduction and principles**

#### **1. Introduction**

- 1.1 Non-executive functions of the Council may be delegated to Officers by the Council, Committees and Sub-Committees under Section 101 of the Local Government Act 1972.
- 1.2 Executive functions of the Council may be delegated to Officers by the Leader of the Council ("the Leader") and, unless directed otherwise by the Leader, by the Cabinet, Cabinet Committees and Individual Cabinet Members under s9E of the Local Government Act 2000.
- 1.3 "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions within the confines of the law or the Constitution.
- 1.4 This Scheme of Delegation is set out as far as possible in terms of broad areas of responsibility rather than in specific statutory terms, other than the allocation of non-executive functions as defined by the Local Authorities (Functions and Responsibilities) Regulations 2000 as amended. As a principle, all functions that are not reserved to the Council or a Council Committee, or to the Cabinet or a Cabinet Committee or an individual Cabinet Member are delegated to the Chief Executive, the Deputy Chief Executive, the Assistant Chief Executive and other specified senior Officers.

#### **2. Principles of Officer delegated decision making**

- 2.1 The fact that a function has been delegated to the Chief Executive, the Deputy Chief Executive, the Assistant Chief Executive, the Managing Director of Children and Young People or the Directors of Adult Social Services, Legal, Finance or Public Health, does not necessarily require that Officer to give the matter their personal attention and they may generally arrange for such delegation to be exercised by an Officer of suitable experience and seniority. Proper officer functions may be exercised by officers duly authorised acting in the name of the Proper Officer.

Exceptions to this are:

- if the law or the Constitution specifically requires a particular Officer to take the decision.



- 2.2 Where the Chief Executive or a Chief Officer has arranged for a delegation to be exercised by another Officer, the Chief Executive or that Chief Officer remains responsible for any decision taken pursuant to such arrangements.
- 2.3 A Council Committee or Sub-Committee may from time to time delegate functions to the Chief Executive. A Council Committee means any Committee or Panel established by the Council. A Council Sub-Committee means any Sub-Committee or Panel established by a Council Committee.
- 2.4 The Chief Executive, the Deputy Chief Executive, the Assistant Chief Executive the Managing Director of Children and Young People or the Directors of Adult Social Services, Legal, Finance or Public Health may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred to the Council, a relevant Council Committee, or the Cabinet for consideration.
- 2.5 Where a function has been delegated to an Officer by the Council, a Council Committee or Sub-Committee, or the Leader of the Council or other executive body, the body or person that made the delegation may take back the power at any time.
- 2.6 A Cabinet Member may direct that a delegated executive authority should not be exercised by the Officer and that the matter should be referred to the Cabinet or an appropriate Cabinet Committee, Sub-Committee or Board for consideration.
- 2.7 Where a decision is delegated to an Officer in consultation with an elected Member, the law requires that the discretion of the Officer is not fettered.
- 2.8 In exercising their delegated authority, Officers must consult with Members and other Officers, as appropriate. This must include the Monitoring Officer (Director of Legal) and Chief Finance Officer (Director of Finance), and Officers must have regard to any advice given.
- 2.9 Officers should be aware of the requirements to publish a record of certain decisions and supporting papers in accordance with Access to Information Procedure Rules at Part 4B of the Council's Constitution.
- 2.10 The principals and processes for individual decision making are considered further at Section 11 to this Part.

## **Section 9B - General Delegations to Officers**

## 1. General delegations to Officers

- 1.1 The Chief Executive, the Deputy Chief Executive, the Assistant Chief Executive, the Managing Director, the Directors of Adult Social Services, Legal, Finance or Public Health or other named Officer shall have power to carry into effect without reference to the Council or the Executive, matters of day to day management and administration of the services for which they are responsible and incurring expenditure for such purpose and taking such action as is necessary within corporate policies.

### 1.1.1 Financial

To comply with all the requirements of Financial Procedure Rules at Part 4F of the Council Constitution, to ensure that the proper financial controls are maintained, and to act in accordance with the following matters specifically delegated therein –

- General responsibilities of Deputy Chief Executive, the Assistant Chief Executive, Managing Director, Directors and Heads of Service. (1.16-19);
- Deputy Chief Executive, the Assistant Chief Executive, Managing Director, Directors and Heads of Service to draft service plans and budgets (2.12);
- Deputy Chief Executive, the Assistant Chief Executive, Managing Director, Directors and Heads of Service to control income and expenditure (2.17);
- Deputy Chief Executive, the Assistant Chief Executive, Managing Director and Directors to managing budgets, delegate authority and review budgets (2.19 – 21);
- Deputy Chief Executive, the Assistant Chief Executive, Managing Director and Directors to establish sound arrangements for their operations and achieving financial performance targets (2.34);
- Deputy Chief Executive, the Assistant Chief Executive, Managing Director and Director to assist in the closure of their Directorate accounts (2.37);
- Deputy Chief Executive, the Assistant Chief Executive, Managing Director and Directors to approve virement within prescribed limits and circumstances and to notify the relevant Portfolio Holder(s) and the Director of Finance accordingly (3.5);
- Heads of Service to undertake duties to manage capital programmes and projects in consultation with/as specified by the Director of Finance and in accordance with Financial and Contract Procedure Rules (4.13-14, 16-19, 21);
- Heads of Service to comply and adhere to the Council's financial systems and procedures as set by the Director of Finance (5.2-6, 8-9);
- Deputy Chief Executive, the Assistant Chief Executive, Managing Director and Directors to ensure systems are registered in accordance with data protection legislation and staff are aware of responsibilities under freedom of information legislation (5.7);

- Deputy Chief Executive, the Assistant Chief Executive, Managing Director and Directors must respond to Internal Audit and Counter fraud requests for progress and status updates (6.6);
- Chief Executive, Deputy Chief Executive, the Assistant Chief Executive, Managing Director and Directors to ensure members and Officers are aware of the Council's Anti-Fraud and Anti-Corruption Strategy and of the Whistleblowing Policy, operate in a way that maximises internal check against inappropriate behaviour; and are able to undertake training on preventing fraud (6.10);
- Heads of Service to notify Director of Finance concerning loss or irregularity concerning cash, stores or other property or any suspected financial irregularity (6.11);
- Heads of Service responsibilities concerning risk and insurance, including in the event of an insurance claim or occurrence (7.2-4);
- Head of Service responsibilities for the care and custody of assets and contingency plans for those assets in the event of disaster, significant event or system failure (8.1-2);
- Heads of Service responsibilities for recording and checking of stock (8.5-7);
- Heads of Service responsibilities for the maintenance of inventories (8.8-12);
- Heads of Service responsibilities for advising Director of Finance of matters concerning the Asset Register (8.14-16);
- Heads of Service responsibilities ensuring that all staff are aware of and comply with responsibilities under the law and Council procedures concerning the security of information (9.4);
- Heads of Service responsibilities concerning customer/client property and lost property (9.5-7);
- Heads of Service responsibilities relating to imprest accounts (11.7-10);
- Heads of Service responsibilities for the collection and banking income, the recording and investigating of discrepancies, determination of satisfactory credit status if credit is given (12.5-15);
- Deputy Chief Executive, the Assistant Chief Executive, Managing Director and Directors to identify employees to act on their behalf, within limits, in respect of income collection, raising orders (12.16, 13.8);
- Write-off of debts (within the remit of this Part) –
  - Individual debts £60 up to £2,500 by the Head of Service
  - Individual debts up to £5,000 by the Director of Finance. (12.17);
- Heads of Service to identify Officers authorised to raise requisitions etc to set limits and to notify the Director of Finance (13.9);
- Deputy Chief Executive, the Assistant Chief Executive, Managing Director and Directors responsible for ensuring payment of undisputed invoices within 30 days from receipt of invoice (13.18); and
- Heads of Service responsibilities regarding the appointment of staff and the maintenance of related records (15.1-4).

### 1.1.2 Contractual

To comply with all the requirements of Contract Procedure Rules at Part 4G of the Council Constitution to ensure that the proper contractual procedures are maintained in entering contracts, and to act in accordance with the following matters specifically delegated therein –

- Deputy Chief Executive , the Assistant Chief Executive or Directors to be satisfied as to adequate budget provision and necessary consents before entering into contracts (1.6);
- Deputy Chief Executive , the Assistant Chief Executive, or Directors to ensure that the Directors of Legal and Finance are consulted throughout the procurement process where contract is a key decision (1.7);
- Deputy Chief Executive or the Assistant Chief Executive, Managing Director, in consultation with the Director of Legal, to determine exemptions from Contract Procedure Rules (1.10.2, 21);
- Deputy Chief Executive or the Assistant Chief Executive or Director to take immediate action in the event of a failure to comply with Contract Procedure Rules and inform and consult the Director of Legal (1.12);
- Deputy Chief Executive, the Assistant Chief Executive, and Directors to comply with delegations relating to Award of Contracts (14); and
- Deputy Chief Executive, the Assistant Chief Executive, or Directors to comply with requirements relating to claims arising from contracts and provide mandatory information for the Contracts Register (19)

### 1.1.3 General Management

- a) Media
  - To produce statements (or appoint a nominee to approve statements) to the communications team dealing with the work of the Department within the policy framework of the Council.
- b) Miscellaneous
  - To authorise and appoint employees possessing such qualifications as may be required by law or in accordance with the Council's policy, to take samples, carry out inspection, enter premises and generally perform the functions of a duly authorised Officer of the Council (however described) and to issue any necessary certificates of authority or issuing of notices or orders.
  - To serve requisitions for information as to the ownership of property under the various statutory provisions where necessary.
  - To sign and serve documents and notices on behalf of the Council.

### 1.1.4 Personnel

- a) Personnel Policies

- The Assistant Chief Executive (or such Officer who is senior Officer with responsibility for HR) shall have authority to determine all policy matters in relation to staffing, including consultation and industrial relations arrangements (but excluding appeals and individual disciplinary matters).

b) Dispute Resolution

- In the event that the Deputy Chief Executive (Place) or other Chief Officer or nominee is unable to reach agreement following required consultation on any matter, the matter will be referred to the Chief Executive/Head of Paid Service for advice or recommendation for resolution of the issue, including referral to the Disputes Committee.

c) Suspension

- The Assistant Chief Executive (or such Officer, other than the Head of Paid Service, Monitoring Officer or Chief Finance Officer, who is most senior Officer with responsibility for HR), in consultation with the Leader of the Council has power to suspend the Head of Paid Service, Monitoring Officer or Chief Finance Officer with immediate effect in an emergency situation.
- The Assistant Chief Executive (or such Officer, other than the Head of Paid Service, Monitoring Officer or Chief Finance Officer, who is most senior Officer with responsibility for HR), has authority to take all actions to progress any investigations into the conduct of the Head of Paid Service, Monitoring Officer or Chief Finance Officer, as the case may be, or other actions as may be required, following the suspension of one or more of those Officers.
- The Chief Executive has the power to suspend Chief Officers.

d) Early Release

- Applications for early release are to be authorised by the Assistant Chief Executive or nominee with responsibility for HR and the Director of Finance.

The following are delegated to the respective Chief Executive, Deputy Chief Executive, Assistant Chief Executive, Managing Director or other Directorate Chief Officer who must ensure that any action is managed within the Directorate's bottom line budget.

e) Appointments

- To appoint employees unless the appointment falls within the responsibility of the Appointments Committee (i.e. Chief Officers and such Deputy Chief Officers as might be determined by the Appointments Committee).
- To appoint employees or contractors on a temporary basis to provide cover for absences of employees or to cater for peaks in workload. Such

employees should be employed on terms set out in guidelines issued by the Assistant Chief Executive or nominee.

- To approve removal expenses for an employee taking up employment with the Council in accordance with the Council's Removal and Relocation Scheme.

Each Directorate Scheme of Delegation should specify the level of Officers with powers to appoint and dismiss.

f) Departmental Structure

- To deploy existing employees within the overall structure of the Directorate.
- To agree changes to staffing structures except where either
  - the restructure is deemed to be 'significant' where the Chief Executive will make decisions in consultation with Director of Finance and Assistant Chief Executive; or
  - the restructure involves the re-grading of posts and/or the creation and grading of new posts in which case the decision must be taken subject to prior consultation with the Assistant Chief Executive or nominee (as lead Officer for HR matters) and the Director of Finance or nominee.
- To undertake prior consultation with all appropriate parties affected by a staffing structure proposal, notably the Trades Unions, prior to a decision being made.
- To authorise the filling of the vacant half of a job share post following the resignation of one of the job-share partners.
- To authorise career grade progression for relevant employees in line with previously agreed criteria.

g) Discipline and Dismissal

- To discipline and dismiss employees with the exception of Chief Officers and such Deputy Chief Officers as might be determined by the Appointments Committee.

Each Directorate Scheme of Delegation should specify the level of Officers with powers to discipline and dismiss.

h) Additional Payments

- To approve acting up payments, e.g. honoraria in line with guidelines issued by the Assistant Chief Executive or nominee.
- To authorise merit increments and ex-gratia payments in line with guidelines issued by the Assistant Chief Executive or nominee.
- To approve non-contractual overtime payments to employees.
- To request the Director of Finance to approve the making of loans for car purchase to employees who are approved as essential car users.

- To enter into compromise agreements with employees subject to approval of the Assistant Chief Executive and Director of Finance.
- i) Allowances
- To approve eligibility for essential and casual car allowances within an overall car allowance scheme approved by Council.
  - To approve the payment of a telephone allowance to applicable employees.
- j) Special Leave
- To authorise time off for public duties in line with guidelines issued by the Assistant Chief Executive under the Directorate Scheme of Delegation.
  - To authorise carer's leave for sick dependents in excess of 5 days subject to such decisions being notified to the Assistant Chief Executive or representative.
  - To authorise a leave of absence without pay for a maximum of 30 working days per year. This can be extended up to 3 months in consultation with the Assistant Chief Executive or nominee.
  - To authorise all other requests for special leave in line with the guidelines issued by Assistant Chief Executive or nominee.
- k) Miscellaneous
- To authorise employees to attend courses.
  - To approve claims for damages to employees' personal effects, clothing and motor vehicles in accordance with guidelines issues by the Director of Finance.
  - To authorise employees taking up additional employment outside the Council in line with National Terms and Conditions of Service and the provisions of the Council's Code of Conduct.
  - The authorisation of secondments

## **Section 9C - Delegations to Specific Officers**

### **Chief Executive**

1. The Chief Executive is the Council's designated 'Head of Paid Service' for the purposes of s4 of the Local Government and Housing Act 1989 and shall fulfil all the statutory duties of that post.
2. The Chief Executive is authorised to discharge any function of the Council and of the Executive, including civic and ceremonial functions of the Council, executive functions and such functions as defined in the Local Authorities (Functions and

Responsibilities) Regulations 2000 (as amended) not otherwise remitted to the Council or a Council Committee or Sub-Committee or to the Leader of the Council or individual Cabinet member.

3. The Chief Executive (or any officer appointed as Interim Chief Executive) is the Electoral Registration Officer for any constituency or part of a constituency co-terminus with or contained in Oldham Metropolitan Borough under section 8 of the Representation of the People Act 1983 and The Chief Executive (or any officer appointed as Interim Chief Executive) is the Returning Officer for the election of councillors for Oldham Metropolitan Borough and parish council elections within the Metropolitan Borough under section 35 of the Representation of the People Act 1983. The Chief Executive may appoint deputy electoral registration officers.
4. The Chief Executive is authorised to take any emergency decisions in respect of Council functions (in consultation, where appropriate, with the Mayor or the Chair of the relevant Committee) which cannot be delayed until the next meeting of the Council or the relevant Committee, as the case may be.
5. The Chief Executive is authorised to take any emergency decisions in respect of the Council's executive functions (in consultation with the Leader of the Council or, in absence of the Leader, the Deputy Leader of the Council) which cannot be delayed until the next Cabinet Meeting.
6. The Chief Executive is authorised to take any action remitted to the Chief Executive within any Part of the Council's Constitution and under corporate policies and procedures.
7. The Chief Executive is authorised to take any act as the Council's "Proper Officer" for the purpose of any function not otherwise delegated under these arrangements.
8. The Chief Executive is authorised on matters relating to staffing, employment, terms and conditions for Council's workforce including the workforce strategy except for those matters specified elsewhere in Part 3 of the Constitution and to approve all significant departmental restructures in consultation with relevant chief officers, the Assistant Chief Executive and Director of Finance.
9. Interface with NHS Place Lead in supporting Integrated Care System for the Oldham Locality
10. The Chief Executive or nominated officer may appoint members to committees or sub committees where there are vacancies or positions required to be filled in accordance with the wishes of the relevant political groups.



11. The Deputy Chief Executive is entitled to act as Chief Executive in the absence of the Chief Executive

### **Deputy Chief Executive (Place)**

1. With the exception of matters specifically referred to the Council or to the Cabinet, an individual Cabinet Member or other executive body, as shown at Sections 3, 4, 6 and 7 above, the Deputy Chief Executive (Place) is authorised to discharge any functions of the Executive in relation to the following functions within the Place and Economic Growth portfolio: -

#### Economy functions

- Property – including management of land and buildings including acquisition, disposal or letting of land and action under compulsory purchase orders legislation – including serving notices, proposing orders and advertising orders under legislation within those functions
- Housing delivery - including
  - Any statutory powers of the Council as a local housing authority.
  - To develop and submit application for grants as appropriate in support of the delivery of relevant Council strategies
- Business Growth/Support
- Transport – including undertaking action within legislation giving the Council duties and powers and including the submission of bids for funding for transport related programmes and projects
- Planning – undertake those planning functions which are an executive function
- Economic growth and regeneration – including functions relating to Council controlled companies.
- Authorising officers to carry out any executive or non – executive statutory duties or functions.

#### Environment functions

- Building Control
  - including determining all building regulation applications
- Environmental Health – including trading standards, fly tipping, food hygiene, air quality, drainage, and health and safety taking any action, serving notices and orders under duties and powers under legislation pertaining to this function and any action required with regards to traveller site(s).
- Public Protection – including powers under the Anti-Social Behaviour Crime and Policing Act 2014 and housing enforcement powers
- Health and Safety

- Parks and Street Cleaning
- Waste – including collection duties under legislation relating to statutory duties and powers of the Council
- Highways – including to adopt highways on behalf of the Council ○ Street Lighting
- Licensing – where executive function
- Authorising enforcement officers under legislation within these functions

Communities functions

- Housing – including any statutory powers and duties of the Council.
- Youth Services
- Districts functions
- Community Safety and Communities
- Voluntary support and engagement with the Faith and social enterprise sector
- Heritage, Libraries and Arts

- To develop and submit applications for grants as appropriate in support of the delivery of relevant Council strategies

2. The Deputy Chief Executive (Place) and Director of Communities and Director of Economy will undertake such Council (or ‘non-executive’) functions as defined in the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) (‘the Regulations’) as are pertinent to the role of the Deputy Chief Executive (Place) and those mentioned officers and have not otherwise been remitted to the Council, a Council Committee or Sub-Committee or other Officer, specifically including –

- Town and country planning and development control functions - the Deputy Chief Executive (Place) is authorised to undertake all actions in respect of Council (or ‘non-executive’) functions, subject to referral to the Planning Committee in accordance with the Protocol set out in Appendix 3 of this Constitution

1. Planning and Other Applications

Apart from matters reserved to the Planning Committee, all those Council functions set out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 which relate to town and country planning and development control, the protection of important hedgerows, the preservation of trees and the regulation of high hedges are delegated to the Deputy Chief Executive (Place). Development control functions include decisions regarding- □ planning applications

- permitted development
- certificates of lawful use and development,
- enforcement

- listed buildings and conservation areas.

The planning functions are to be construed purposively and broadly, to include anything which facilitates or is incidental to them. For example, the power to determine planning applications under s70 Town and Country Planning Act 1990 will include powers governing environmental impact assessments under the various Town and Country Planning (Environmental Impact Assessment) Regulations. It will also include power to impose conditions, limitations or other restrictions or to determine terms to which approvals are subject, and to modify, vary or revoke approvals.

Where legislation is amended or replaced by new provisions or where new development control provisions are enacted, then the relevant authority delegated in this Scheme shall be construed to apply to those new provisions.

## 2. Other Matters

These matters are not subject to the referral system:

- a. Declining to accept repeat applications which have previously been dismissed on appeal and raise no significant new issues.
- b. Determination Minor Material and Non-Material Amendment applications.
- c. Determination of Discharge of Conditions applications.
- d. Determination of any application for a certificate of lawful existing or proposed use or development under Section 191 and Section 192 of the 1990 Act.
- e. Authority to determine whether prior approval is required, and subsequent determination of applications (whether or not objections are received) for agriculture and forestry buildings, operations for telecommunications equipment and demolition of buildings under the Town and Country Planning (General Permitted Development) (England) Order 2015.
- f. Authority to issue and service Planning Contravention Notices under the Town and Country Planning act 1990 and consider and determine representations made thereto.
- g. All matters relating to Tree Preservation Orders.
- h. Authority to instruct the Director of Legal Services to institute proceedings for the grant of injunctive relief under powers contained in the Town and Country Planning Act 1990, subject to:
  - i. prior consultation with the Chair and/or Vice Chair of the Planning Committee; or
  - ii. without such consultation if the matter is one of extreme urgency.
- i. Authority to instruct the Director of Legal to issue and serve discontinuance notices for removal of any advertisement displays erected without express or deemed consent which do not comply

with Council's policy on outdoor advertising and in the interests of amenity and public safety.

- j. Authority to instruct the Director of Legal to issue and serve breach of condition notices under the Town and Country Planning Act 1990, and appropriate consequential action as required.
  - k. Determination of applications, on behalf of the Council, for the modification or discharge of any planning obligations in accordance with Section 106A and 106B of the Town and Country Planning Act 1990 and the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992, and to continue to deal with any agreed amendments or discharges which are not covered by the above legislation.
  - l. Authority to instruct the Director of Legal to issue and serve notices under Section 215 of the Town and Country Planning Act 1990 (power to require the proper maintenance of land adversely affecting neighbourhood amenity).
  - m. Authority to instruct the Director of Legal to issue and serve enforcement and stop notices under the Town and Country Planning Act 1990.
  - n. Authority to institute legal proceedings and statutory procedures in relation to the Council's planning functions, both by Deputy Chief Executive (Place) and the Director of Legal.
  - o. The issuing of screen opinions with regard to the need or otherwise for Environmental Impact Assessments and scoping opinions with regard to the matters to be included in Environmental Statements.
  - p. Authority to authorise officers to carry out statutory duties and functions in relation to the Town and Country Planning Act 1990 and other current planning related legislation.
- Licensing and registration functions - Deputy Chief Executive (Place) is authorised to undertake all Council (or 'non-executive') functions as defined under that heading in Schedule 1 of the Local Authority (Function and Responsibility England Regulation 2000) with the exception of those matters reserved by the Council to the Licensing Committee or are referred to the Licensing Committee or to a Sub-Committee or Panel of the Licensing Committee by either the Licensing Act 2003 or the Gambling Act 2005.
  - Public rights of way - the Deputy Chief Executive (Place) is authorised to undertake all Council (or 'non-executive') functions as defined in Section I, Part 1 Schedule 1 of the Regulations with the exception of those matters reserved by the Council to the Traffic Regulation Order Panel.
  - Serving notices, proposing orders, and advertising orders and undertaking enforcement activity under legislation within these functions.
  - Authorising officers to carry out executive or non-executive statutory duties and functions with the area of responsibility.

- To act on behalf of the Chief Executive in the absence of the Chief Executive.

### **Assistant Chief Executive**

1. With the exception of matters specifically referred to the Council or to the Cabinet, an individual Cabinet Member or other executive body, as shown at Sections 3, 4, 6 and 7 above, the Assistant Chief Executive is authorised to discharge any functions of the Executive and non executive functions as pertinent to the role of Assistant Chief Executive and have not been otherwise been remitted to the Council, a committee, a sub-committee or officer of the Council in relation to: -
  - Workforce and Organisational Design – including: -
    - To undertake the following specific delegations in relation to staffing matters –
    - (a) Power to implement discretionary provisions of pay awards determined by National or Local Negotiating Bodies
    - (b) Power to implement discretionary provisions of circulars relating to terms and conditions determined by National or Local Negotiating Bodies.
    - (c) The interpretation and application of pay scales and conditions of service for all employees.
    - (d) The administration and implementation of the Council’s workforce strategy
    - (e) Implement and adopt nationally negotiated decisions on conditions of service and pay awards
    - (f) to implement all departmental restructures
    - (g) administration of pension functions
  - Strategy and Performance
    - including:-To deal with matters relating to the development of the Corporate Plan and Borough Plan
    - The provision of policy and research support as part of the policy development and corporate planning process.
  - Communications and Research
  - Customer Services
  - IT and digital

### **Director of Adult Social Care (DASS)**

1. The Director of Adult Social Care (DASS) is the Council’s designated Director of Adult Social Services in accordance with s6 of the Local Authorities Social Services Act 1970 and is responsible for the undertaking of all statutory duties associated to that post.

2. With the exception of matters specifically referred to the Council or to the Cabinet, an individual Cabinet Member or other executive body, as shown at Sections 3, 4, 6 and 7 above, the Director of Adult Social Care (DASS) is authorised to discharge any functions of the Executive in relation to:-
  - Adult Social Care Functions
    - o Safeguarding
    - o Care Homes and Social Care providers
    - o Community Enablement
    - o Learning Disabilities
  - including:
  - taking any action which is calculated to facilitate or is conducive or incidental to the discharge of Adult Service functions and to comply with requirements imposed by legislation.
  - The assessment and admission of persons to accommodation within the Adult Services functions, the recovery of charges and the adjustment of liability.
  - The power to make applications and to act as deputy for persons who are incapable of managing their own affairs.
  - To administer the operation of an approved list of Residential Care and Nursing Homes and Home Support providers.
  - To negotiate the supply of appropriate accommodation
  - To determine individual charges for each placement
  - The discharge of the Council's functions relating to the discharge of patients under Mental Health Act.
- Miocare/ Chadderton Total Care
  - Undertake client responsibility for Miocare activity and Chadderton Total Care

2. The Director of Adult Social Care (DASS) will undertake such Council (or 'nonexecutive') functions as defined in the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) as are pertinent to the role of the Director of Adult Social Care (DASS) and have not otherwise been remitted to the Council, a Council Committee or Sub-Committee or other Officer.

### **Managing Director of Children and Young People (DCS)**

1. The Managing Director of Children and Young People (DCS) is the Council's designated Director of Children's Services in accordance with s18 of the Children

Act 2004 and is responsible for the undertaking of all statutory duties associated to that post.

2. With the exception of matters specifically referred to the Council or to the Cabinet, an individual Cabinet Member or other executive body, as shown at Sections 3, 4, 6 and 7 above, the Managing Director of Children and Young People is authorised to discharge any functions of the Executive in relation to: -

- Director of Children's Social Care functions

- Children's Social Care
- Safeguarding
- Mash
- Early Help
- Adoption and Fostering

including:

- The control of visits to and contact with children in the Children's homes, provided by the Council
- The review of the welfare, health, education, conduct and progress of Children Looked After by the Council under the Children Act 1989.
- The making of grants to children or their relatives, foster carers and prospective adoptive parents, according to the special needs involved to a maximum to be decided from time to time by the Council.
- To take any action which is calculated to facilitate or is conducive or incidental to the discharge of functions in accordance with the Children Act 2004 and to comply with requirements imposed by legislation.
- The making of arrangements with, or contributions to, non-statutory organisation and other local authorities providing residential or temporary accommodation to children or young people.
- Commencement of and participation in legal proceedings relating to the care, welfare or safeguarding of a child under any legislation.
- Responsibility for all arrangements for children looked after by the Council
- Authority to make and participate in arrangements for the adoption of children under any legislation, subject to receipt of advice from the Adoption Panel as necessary
- Authority to make and participate in arrangements for the adoption of children under any legislation, subject to receipt of advice from the Fostering Panel as necessary
- Support for Children and Families

- Director of Education function
  - Education and Early Years
  - Skills / Lifelong Learning
  - SEND
  - School Improvement
  - School Admissions
  - Post-16 Education
  - Get Oldham Working

including:

- The assessments of, making and maintenance of Education, Health and Care Plans for Children and young people with special educational needs and / or disability (SEND).
- The appointment of Local Authority Governors.
- To take the necessary action to ensure the safeguarding of children in all educational provision, whether early years, primary, secondary, or residential schools, or out of school activities and youth work.
- To take the necessary action to ensure all schools and educational services have policies and procedures for child protection and to ensure the Local Education Authority is a core Member of the Local Safeguarding Children Board and that maintained schools, staff and governors and other direct educational provision are fully integrated in and familiar with, child protection procedures.
- To take the necessary action to ensure measures are in place to promote good attendance; to provide effective personal, social and health education; support for family learning; opportunities for personal and social development, and support for the voice of young people and children, with specific attention given to groups at risk of low achievement, including children in public care, with special needs, and particular ethnic groups; the attendance, behaviour and provision for pupils out of school, within the context of a general approach to educational inclusion.
- Arrangements for the admission of pupils to all community, controlled and special schools
- Arrangements for dealing with pupil exclusion and reinstatement cases
- The provision of home/school transport for pupils
- Matters relating to the enforcement of school attendance, including the authorisation of legal proceedings
- The making of any grants to children or students to facilitate educational attendance a) Power to grant financial assistance with



boarding education (in consultation with the Portfolio Holder for Children's Services)

- Arrangements for the monitoring of school performance having regard to the Code of Practice on Local Authority/School relations
- Arrangements for intervening in schools under Special Measures or otherwise causing concern
- Arrangements for receiving OFSTED reports.

3. The Managing Director of Children and Young People (DCS) will undertake such Council (or 'non-executive') functions as defined in the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) as are pertinent to the role of the Managing Director of Children and Young People (DCS) and have not otherwise been remitted to the Council, a Council Committee or Sub-Committee or other Officer.

## **Director of Legal**

1. The Director of Legal is the Council's designated 'Monitoring Officer' for the purposes of s5 of the Local Government and Housing Act 1989 and shall fulfil all the statutory duties of that post.
2. The Director of Legal authorised to act, and to take any action intended to give effect to any decision of
  - the Council;
  - a Council Committee or Sub-Committee acting under delegated powers;
  - the Leader of the Council where the Leader of the Council has determined that they shall be personally responsible for a particular executive decision;
  - the Cabinet or any other executive body or individual acting under delegated executive powers;
  - an Overview and Scrutiny Committee in pursuance of their statutory powers;
  - or
  - an Officer discharging any delegated Council or executive function; and have specific duties in relation to: -
    - a) the making or issuing and orders and notices.
    - b) the commencement, defence, of legal or other proceedings including prosecution and withdrawal or settlement of legal proceedings up to a figure of £250k
    - c) the authorisation of Council employees to conduct legal matters in court and other matters relating to the courts and legal proceedings and to instruct Counsel or other external providers to undertake legal work
    - d) contractual elements of procurement and land transactions including executing documents

- e) management of democratic services, electoral services and civic and member support services
- f) to arrange for the discharge of the Council's functions relating to local land charges
- g) commons registration.
- h) the recording of decisions of Council, the Executive and all relevant committees.
- i) The Registrars service
- j) taking any action remitted to the Director of Legal under corporate policies and procedures including under the Regulation of Investigatory Powers Act 2000.
- k) Make arrangements for school admission appeals
- l) Appointment of a deputy monitoring officer

3. Further to Paragraph 2 above, the Director of Legal will undertake such Council (or 'non-executive') functions as defined in the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) as are pertinent to the role of the Director of Legal and have not otherwise been remitted to the Council, a Council Committee or Sub-Committee or other Officer and to take action under the Arrangements for dealing with complaints under the Localism Act 2011.

4. The Director of Legal is authorised to act and to take any action as might be referred to the Director of Legal by the Council's Financial Procedure Rules and Contract Procedure Rules as contained within Parts 4F and 4G respectively of the Council's Constitution and within any further Constitutional provision applying and can grant dispensations under section 33 (a), (b) and (d) of the Localism Act (Standards Committee have power to grant dispensations under section 33 (2) (c) and (e) of the Act.)

## 5. **Director of Finance**

1. The Director of Finance is the Council's designated 'Chief Finance Officer' for the purposes of s114 of the Local Government Finance Act 1988 and shall fulfil all the statutory duties of that post and in accordance with S151 of the Local Government Act 1972 shall be the officer with responsibilities for the proper administration of the Council's financial affairs.

2. The Director of Finance is authorised to act and to take any action intended to give effect to any decision of

- the Council;
- a Council Committee or Sub-Committee acting under delegated powers;
- the Leader of the Council where the Leader of the Council has determined that they shall be personally responsible for a particular executive decision;

- the Cabinet or any other executive body acting under delegated executive powers;
- an Overview and Scrutiny Committee in pursuance of their statutory powers; or
- an Officer discharging any delegated Council or executive function; and have specific duties in relation to: -
  - (a) Report on decisions incurring unlawful expenditure, unlawful loss or deficiency or unlawful item of accounts under the Local Government Finance Act 1988.
  - (b) Appointment of Deputy
  - (c) Report on resources under the Local Government Finance Act 1988.
  - (d) Borrowing, investment accounts and financial administration under the Local Government Act 2003.
  - (e) Responsibility to determine the form of the Council's accounts and records, provide internal audit and statement of accounts (f) The administration of benefits including Housing Benefit.
  - (g) The collection of revenue (including debt recovery)
  - (h) The administration of Council tax and national non-domestic rates including Discretionary and Hardship relief in relation to both Council Tax and Business Rates in accordance with approved discretionary policies in consultation with the relevant Executive member as appropriate
  - (i) Internal audit and counter fraud function
  - (j) The delivery of the National Anti-Fraud Network which provides data pursuant to legislation
  - (k) Creditor payments
  - (l) Accountancy including transactions
    - (i) to stipulate the date by which all financial records for any financial year shall be completed.
    - (ii) appoint a Money Laundering Reporting Officer (MLRO) to receive disclosures from officers concerning money laundering activity
    - (iii) to approve any changes to existing financial systems and to approve any new systems before they are introduced.
    - (iv) to determine the petty cash limit for individual minor items
  - (m) The Council's insurance arrangements and risk management
  - (n) Information governance and activities in relation to discharge of the function of the Senior Information Responsible Officer
  - (o) To determine the Councils approach to information security
  - (p) The writing off of debts up to £10,000 and to review in detail all debtors to support the closure of final accounts writing off those considered irrecoverable reporting to the Cabinet Member with responsibility for Finance

- (q) The power to serve notice in accordance with the Non-Domestic Rating (Alteration of lists and Appeals) Regulations 2005, when such action is required to preserve the Authority's position on non-domestic rating valuation matters.
  - (r) To decide on the appropriate arrangements for Performance Bonding for all contracts in excess of £75,000 contract sum
  - (s) To take any action remitted to the Director of Finance under corporate policies and procedures.
  - (t) The provision of financial management advice, financial analysis and appraisal
  - (u) The power to serve notices under relevant local government functions
  - (v) Treasury management functions of the Council as detailed in the annual Treasury Management Strategy approved by the Council and the Financial Procedure Rules including investment of surplus funds and borrowing.
  - (w) Procurement Functions
  - (x) Transformation Services
- i. The Director of Finance is authorised to act and to take any action as might be referred to the Director of Finance by the Council's Financial Procedure Rules and Contract Procedure Rules as contained within Parts 4F and 4G respectively of the Council's Constitution and within any further Constitutional provision applying.

### **Director of Public Health**

1. The Director of Public Health is the Council's designated 'Director of Public Health' for the purposes of s73A of the National Health Service Act 2006 and shall fulfil all the statutory duties of that post.
2. With the exception of matters specifically referred to the Council or to the Cabinet, an individual Cabinet Member or other executive body, as shown at Sections 3, 4, 6 and 7 above, the Director of Public Health is authorised to discharge any functions of the Executive in relation to: -
  - Health Improvement
    - To be responsible for the management of public health service as regards effectiveness, availability, and value for money.
    - Delivery of the Council's duties as to the improvement of public health and health protection including providing information and advice and providing services and facilities.
  - Health Protection
    - Ensure plans are in place to protect the health of the local population from threats to health
    - Planning for and responding to a risk to public health.
  - Commissioning Healthcare Services

- Reducing Health Inequalities
  - Leisure
  - To undertake services in relation to or conducive for the discharge of functions relating to the provisions of the service.
3. The Director of Public Health will undertake such Council (or 'non-executive') functions as defined in the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) as are pertinent to the role of the Director of Public Health and have not otherwise been remitted to the Council, a Council Committee or Sub-Committee or other Officer.



## APPENDIX 3

### **PART 4 - ACCESS TO INFORMATION PROCEDURE RULES**

#### **1. SCOPE**

- 1.1 These Procedure Rules apply to all meetings of the Council, of Council , Committees (as identified in Section 4 to Part 3 of this Constitution), of Overview and Scrutiny Committees (as identified in Section 5 to Part 3), and of the Cabinet and Committees and Boards of the Cabinet (as identified in Section 7 to Part 3) (together called meetings).
- 1.2 These Procedure Rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

#### **2. RIGHTS TO ATTEND MEETINGS**

Members of the public may attend all meetings unless confidential or exempt information as defined in Procedure Rule 9 is to be considered and the meeting has resolved to exclude the public.

#### **3. NOTICE OF MEETING**

The Council will give at least five clear days' notice of any meeting by posting details of the meeting at the Civic Centre, Oldham, and on the Council's website.

#### **4. ACCESS TO AGENDA AND REPORTS BEFORE THE MEETING**

- 4.1 The Council will make copies of the agenda and reports available for public inspection at the Civic Centre, Oldham and on the Council's website at least five clear days before the meeting unless the meeting is convened at shorter notice, in which case the agenda and reports will be available as soon as convened. If an item is added to the agenda later, the revised agenda will be open to inspection from the time the item was added to the agenda. Where reports are prepared after the summons has been sent out, the designated officer shall make each such report available to the public as soon as the report is completed and sent to Councillors.
- 4.2 For all purposes of these Rules and the Constitution in general, the terms "notice", "summons", "agenda", "report", "written record" and "background papers" when referred to as being a document that is:
- a) "open to inspection", shall include for these and all other purposes as being published on the website of the Council; and

- b) to be published, posted or made available at offices of the Authority, shall include publication on the website of the Authority.

## **5. SUPPLY OF COPIES**

The Council will supply copies of the following documents to any person on payment of a charge for postage and any other costs:

- a) any agenda and reports which are open to public inspection;
- b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- c) if the Chief Executive thinks fit, copies of any other documents supplied to Councillors in connection with an item.

## **6. ACCESS TO AGENDA, MINUTES, DECISION RECORDS AND REPORTS**

6.1 The Council will make available copies of the following for six years:

- a) the minutes of a meeting excluding any part which discloses exempt or confidential information;
- b) records of decisions taken, together with reasons, for all decisions taken by the Cabinet, Cabinet Committees and Boards, and for key decisions taken by individual Cabinet Members and by Officers, excluding any part which would disclose exempt or confidential information;
- c) a summary of any proceedings of any meeting not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
- d) the agenda for any meeting; and
- e) reports relating to any items which would not disclose confidential or exempt information.

6.2 The relevant Chief Officer or report author will make available copies of the background papers referenced in any report available to the public for a period of four years.

## **7. MATTERS TO BE CONSIDERED IN EVERY REPORT TO ALL MEETINGS AND TO INDIVIDUAL DECISION MAKERS**

7.1 Every report shall consider under separate headings the following matters:

1. Legal Implications
2. Financial Implications
3. Equality Impact – including implications for Children and Young People

Other relevant corporate issues such as Human Resources implications, Property or Procurement implications should be considered within the body of the report.



- 7.2 The person compiling a report must also set out a list of those documents (called background papers) relating to the subject matter of the report which in the opinion of the author disclose any facts or matters on which the report. an important part of the report is based and which have been relied on to a material extent in preparing the report.



## APPENDIX 4

### 4.4 Meanings

#### 4.4.1 Policy Framework

The Policy Framework means the following plans and strategies:

- Licensing and Gambling Policies;
- Plans and Strategies which together comprise the Local Plan – Core Strategy (Development Plan document)
- Community Safety and Cohesion Partnership Strategy including crime and disorder reduction strategy;
- Oldham Plan (sustainable community strategy); and
- Youth Justice Plan.

Plans and Strategies which the Council has chosen to include in the Policy Framework

- Children’s and Young People Strategic Plan;
- The Council’s Corporate Plan; and
- Pay Policy Statement.

Additional plans and strategies may be approved or adopted as part of the Policy Framework from time to time.

Any minor changes to the Policy Framework documents can be determined by the Chief Executive in consultation with the Leader of the Council and Leader of the Main Opposition Group and referred to the next Council meeting.

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# Part 4A

## Council Procedure Rules

**APPENDIX 5**  
**PART 4 - COUNCIL PROCEDURE RULES**

Matters reserved to Council are outlined in the Council Terms of Reference at Section 3 to Part 3 of this Constitution.

**1. ANNUAL MEETING OF THE COUNCIL**

**1.1 Timing and Business**

In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the annual meeting will take place on a date to be set by Council.

**1.2 The annual meeting will:**

- a) elect a person to preside if the Mayor or Deputy Mayor is not present;
- b) elect the Mayor;
- c) appoint the Deputy Mayor;
- d) approve the Minutes of the last meeting;
- e) deal with matters which the Mayor considers to be urgent business;
- f) receive any communications from the Mayor relating to the business of the Council;
- g) receive any petitions relating to the business of the Council (all petitions to be dealt with in accordance with the Council's Petitions Protocol);
- h) elect the Leader (if required);
- i) receive the report of the Leader on executive arrangements;
- j) decide the allocation of seats to political groups in accordance with the political balance rules;
- k) establish at least one Overview and Scrutiny Committee, a Licensing Committee (or such Committee as meets the requirements of the Licensing Act 2003) and such other Committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions;
- l) decide, within any statutory restriction, the size and terms of reference for those Committees;
- m) appoint to those Committees, including substitute Members;
- n) appoint a Chair for those Committees;
- o) appoint to outside bodies, except where appointment to those bodies has been delegated by the Council or are executive appointments;
- p) if not previously determined by Council, approve a programme of ordinary meetings of the Council for the year;
- q) consider notices of Administration business in the order in which they have been received by the Chief Executive in accordance with Procedure Rules 2, 8 and 12 (time limit – 30 minutes);

- r) consider motions of opposition business in accordance with Procedure Rules 2, 8 and 12 (time limit – 30 minutes);
- s) agree amendments to and/or re-affirm the Constitution, including the Council (non-executive) Scheme of Delegation; and
- t) consider any business set out in the notice convening the meeting.

## 2. ORDINARY MEETINGS

### 2.1 Timings and Business

- 2.1.1 All ordinary meetings shall normally be held at 6.00pm and shall conclude at 9.30pm unless some other time fixed by statute or specified in the summons. The Mayor shall determine whether meetings where significant tranches of Budget proposals or major communications are considered shall conclude at 10.00pm.
- 2.1.2 Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting or by the Council at an ordinary meeting preceding the annual meeting.
- 2.1.3 Subject to any variation in the order of business under Procedure Rule 12.4(c) or when the Mayor, in consultation with the Leaders of the political groups of the Council, considers it appropriate to move an officer report higher on the agenda, the order of business at every ordinary meeting of the Council will be:
  - a) To choose a person to preside if the Mayor and Deputy Mayor are not present;
  - b) To approve as a correct record the Minutes of the last meeting of the Council; provided that, if a copy has been circulated to each Member of the Council not later than the date of issue of the Summons to attend the meeting, they will be taken as read;
  - c) To receive any declarations of interest from Members;
  - d) To deal with matters which the Mayor considers to be urgent business.
  - e) To receive any communications from the Mayor relating to the business of the Council. At the final ordinary Council meeting of any municipal year, the Mayor will indicate which members have provided notice that they are not returning as members in order to give other members the opportunity to address the meeting on their retirement;
  - f) To receive any petitions relating to the business of the Council (all petitions to be dealt with in accordance with the Council's Petitions Protocol); **(time limit - 20 minutes)**
  - g) To consider a presentation or resolution on a specific topic of relevance to the Borough, from the Youth Council; **(time limit – 20 minutes)**;
  - h) Public Questions **(time limit 15 minutes )** ( see Council Procedure Rule 10)
  - i) Leader and Cabinet reports and questions ( **time limit 90 minutes**). To receive reports on updates on main activities in the portfolio area of Leader and Cabinet members and receive questions from non-executive members. (Each portfolio holder section will last a maximum of 10 minutes)

with 6 minutes permitted for questions from non-executive members). The Leader section will receive the minutes of the Cabinet and Greater Manchester Combined Authority and Executive meetings minutes .To also receive annually a list of any urgent key decisions taken since the last annual report. ) In the Leader section, the Leader of the main opposition group is entitled to ask 2 questions and the Leader of the next largest group may ask 1 question.

- j) To consider Administration business. To consider a maximum of two notices of motion in the order in which they have been received by the Chief Executive; **(time limit - 30 minutes)**
- k) To consider Opposition business. The order of consideration of Opposition motions is in accordance with group size with one motion considered from each group sequentially .The main opposition group motion is limited to 15 minutes . The motion from the next largest group is limited to a maximum of 10 minutes . Other motions submitted to be considered within the permitted period of 30 minutes. **(time limit – 30 minutes)**
- l) Other business (if any) specified in the Summons, including matters of call-in and any matters expressly required by statute. Without the suspension of Council Procedure Rules, the Chair of the Audit Committee may speak with permission and if requested when Council is considering a report from the Chair of the Audit Committee.

2.1.4 Any period of time not utilised in relation to items (a) – (k) in section 2.1 above is to be distributed to items (l).

2.1.5 The Council Budget Meeting shall be a sole item meeting, except that a communications item may be included.

2.1.6 If time has expired on any motion section, any motion under debate will be put to the vote and any outstanding motions will be moved and seconded and a vote taken.

### **3. EXTRAORDINARY MEETINGS**

#### **3.1 Calling Extraordinary Meetings**

An extraordinary meeting of the Council may be called at any time by:

- a) the Council;
- b) the Mayor;
- c) any five Members of the Council if they have signed a requisition presented to the Mayor and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition; or
- d) the Monitoring Officer or the Chief Finance Officer in pursuance of their statutory duties.



### **3.2 Business**

Any request or requisition for an Extraordinary Meeting of the Council shall specify the reason for the calling of the meeting and give notice of a motion to be debated, unless the purpose is to receive reports or adoption of recommendations of Committees or Officers or any resolutions following from them. No business other than that specified in the summons to the meeting may be considered at an extraordinary meeting.

## **4. NOTICE AND SUMMONS TO MEETINGS**

4.1 The Chief Executive or nominated Officer shall give notice to the public of the date, time and place of any meeting in accordance with the Access to Information Procedure Rules at Part 4B of this Constitution. At least five clear working days before a meeting, the Chief Executive or deputed Officer shall send a summons by post or by electronic mail to every Member of the Council or leave it at their usual place of residence. Every Member of the Council will be served with a copy of the summons prior to the meeting, unless they give written notice to the Chief Executive or nominated Officer that they do not wish to receive a physical copy. The summons shall give the date, time and place of each meeting and specify the business to be transacted and shall be accompanied by any reports to be considered.

4.1A For all purposes of these Rules and the Constitution in general, the terms “notice”, “summons”, “agenda”, “report”, “written record” and “background papers” when referred to as being a document that is:

- a) “open to inspection”, shall include for these and all other purposes as being published on the website of the Council; and
- b) to be published, posted or made available at offices of the Authority, shall include publication on the website of the Authority.

## **5. CHAIR OF MEETING**

5.1 The Mayor shall preside at meetings of the Council and may exercise any power or duty of the Chair in ensuring the proper conduct of the meeting. If the Mayor is absent, the Deputy Mayor shall preside. If both are absent, the members of the Council in attendance shall appoint one of their number to Chair that meeting.

5.2 Whenever the Mayor speaks during a debate, or should the Mayor stand at any point during a meeting, or should the Mayor declare “Mayor standing” at any meeting being held wholly or in part by remote means, any Member speaking or standing shall fall silent, and the meeting shall fall silent also.

## **6. MEMBERS SPEAKING TO THE COUNCIL**

- 6.1 A Member shall speak to address the Council only when called upon by the Chair of the meeting. A Member called to speak shall, if present at the physical location of a meeting and able, stand when speaking and shall address the Mayor. If two or more Members indicate they wish to speak, the Mayor shall call on one to speak.

## **7. QUORUM**

- 7.1 No business shall be transacted at a meeting of the Council unless at least one quarter of the whole number of Members of the Council are present. If, at the expiration of 15 minutes after the time for which any meeting is called, a quorum is not present then the Mayor or in his/her absence the Deputy Mayor or in the absence of both, the Monitoring Officer or his/her representative shall state that no meeting shall take place. If, during a meeting, a quorum is questioned and the Mayor, after counting the number of Members present, declares that there is not a quorum present, the meeting shall stand adjourned for an appropriate period to be determined by the Mayor.

## **8. DURATION OF MEETING**

### **8.1 Interruption of the Meeting**

Unless otherwise stated on the summons or provided for in accordance with Procedure Rule 2.1, at 9.30pm the Mayor will cease all debate and any Member speaking must immediately sit down. The Mayor will call for the vote immediately on the item under discussion. The vote will then be taken in the usual way without any further discussion.

### **8.2 Motions and Recommendations Not Dealt With**

If there are other motions or recommendations on the summons that have not been dealt with by 9.30 pm or such other time arising from Procedure Rule 8.1 above and the mover indicates that he/she wishes it to be determined at the current meeting the Mayor shall then establish whether there is any opposition to the resolution. If that be the case then the Mayor will take one speech from the mover and one other member in opposition before the vote is taken. Any other outstanding motions or amendments will be moved and seconded and the vote will be taken without further debate until each outstanding matter has been concluded.

### **8.3 Recorded Vote**

If during this process a recorded vote is requisitioned in accordance with Procedure Rule 16.3, the vote will be taken immediately.

## **9. SIGNING OF MINUTES**

- 9.1 As soon as the Mayor has put the question that the Minutes of the last preceding meeting of the Council be signed as a correct record, any Member of

the Council may put to the Mayor any question which has reference to their accuracy and no motion or discussion shall take place upon the Minutes, except upon their accuracy, and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised, then as soon as it has been disposed of, the Mayor shall sign the minutes.

- 9.2 At an extraordinary meeting of the Council the minutes of the preceding meeting need not be signed and may instead be signed at the next ordinary meeting.

## **10. PUBLIC QUESTIONS**

### **10.1 Notice of Public Questions**

Written notice of the public question must be delivered to the Head of Democratic Services no later than noon on the day prior to the Full Council meeting (12 noon two working days before the meeting for all other Council Committees). Delivery includes the submission of questions via electronic media. Questions can only be submitted by those who reside or own a business within the Borough and the notice of the public question must include the questioner's name and full postal address.

### **10.2 Scope of Questions**

Questions can be asked of Cabinet Members. Questions may only be asked on services provided by or commissioned by the Council. Questions may not be accepted if the Chief Executive, in consultation with the Monitoring Officer, considers that the question:

- a) is not about a matter for which the Council provides or commissions services;
- b) requires or is likely to lead to the disclosure of exempt or confidential information;
- c) is defamatory, offensive, factually incorrect or uses inflammatory language;
- d) is substantially the same as a question which has been asked at a Council meeting in the past six months;
- e) is formed to make a statement rather than to receive information.

The question must not exceed more than 100 words.

### **10.3 Order of Questions**

Questions from members of the public will be taken in the order received. Multiple questions by the same member of the public will only be considered after questions submitted singly, and then in the order of all second questions submitted, then all third questions submitted and so on.

### **10.4 Asking the Question at the Meeting**

The Mayor will advise of the name of a questioner and will either read out the question or ask for the question to be read out to the Council.

#### 10.5 **Answers to Questions**

The relevant Cabinet Member or their Deputy may respond and the time allowed for responses to be limited to a maximum of two minutes each.

#### 10.6 **Record of Questions**

Notices of questions will be dated and numbered as received and be open to public inspection.

#### 10.7 **Time Limit on Public Questions**

The time allowed for public questions will be a maximum of 15 minutes.

### 11. **QUESTIONS BY MEMBERS**

#### 11.1 **Questions to Leader and Cabinet Members**

Advance notice of questions to the Leader and Cabinet Members is not required. However, if a detailed or technical answer is expected at the meeting, notice should be given to the Chief Executive by noon at least two working days before the date of the meeting of Council. The time allowed to put the question shall be limited to a maximum of two minutes for each question.

#### 11.2 **Answers to Questions**

An answer may be provided in the form of: a)

A direct oral answer;

b) A reference to a publication of the Council containing the desired information; or

c) In the case of a detailed or technical response, a written response. The time allowed for responses is limited to a maximum of two minutes for each question.

#### 11.3 **Supplementary Questions and Observations**

After a question has been responded to, a Member may ask one supplementary question or make an observation which must relate to the original question or response.

### 12. **NOTICES OF MOTION**

#### 12.1 **Notice**

Except for Motions which can be moved without notice under Procedure Rule 12.4, written or electronic notice of every motion, including those motions to be submitted by the Youth Council, signed by at least one Member, must be delivered to the Chief Executive no later than noon, seven working days before the meeting of Council. Such notices will be dated and numbered as received, filed in the office of the Chief Executive and be open to public inspection.

## 12.2 **Scope**

Every notice of motion will be relevant to some matter over which the Council has an influence.

## 12.3 **Motions not accepted**

If notice is given of any motion which, in the opinion of the Chief Executive is out of order, illegal irregular or improper, the Chief Executive, in consultation with the Mayor and Monitoring Officer, shall determine whether to accept its inclusion on the agenda. If a motion is not deemed acceptable the Chief Executive shall inform the member who gave notice of the item.

## 12.4 **Mover of Motion**

12.4.1 No motion of which notice has been given in accordance with Procedure Rule 12 shall be moved in the absence of the Member of the Council in whose name it stands, unless he or she has given their authority in writing to the Chief Executive that the business shall be taken over by some other Member. Unless moved in accordance with this Procedure Rule or postponed by leave of the Council, such motion shall be considered as dropped and shall not be again moved without fresh notice.

12.4.2 A Member shall not speak more than once on any motion except to move or speak to an amendment, except in the exercise of the right of reply, or on a point of order, or by way of personal explanation.

## 12.4.3 **Secunder of Motion**

No motion of which notice has been given in accordance with Procedure Rule 12 shall be seconded in the absence of the Member of the Council in whose name it stands, unless he or she has given notice in writing to the Chief Executive that the business shall be seconded by another Member.

## 12.4.4 **Motions without Notice**

The following motions may be moved without notice:

- a) to appoint a Chairman of the meeting at which the motion is made;
- b) motions relating to the accuracy of the minutes
- c) to change the order of business in the agenda;
- d) to refer something to an appropriate body or individual;
- e) to appoint a Committee or an individual arising from an item on the summons;
- f) to receive reports or recommendations of the Executive, Committees or officers and determine any resolutions following from them;
- g) to withdraw a motion;
- h) to proceed to the next business;

- i) that the question be now put;
- j) to adjourn a debate;
- k) to adjourn a meeting;
- l) to extend the time limit for speeches as detailed in Procedure Rule 14.5;
- m) that the meeting continue beyond 9.30 pm or such other time as provided for under Procedure Rule 8.1 above;
- n) to suspend a particular Procedure Rule;
- o) that the Council does resolve itself into Committee;
- p) to exclude the public and press in accordance with the Access to Information Procedure Rules;
- q) to give the consent of the Council where the consent of the Council is required by the Constitution.

## **12.5 Alteration of Motions**

A Member may alter a motion which he/she has proposed, or of which notice has been given, with the consent of the seconder and of the Council. The consent of the meeting will be signified without discussion.

## **12.6 Motions Contravening Financial Procedure Rules**

12.6.1 Any motion or report submitted to the Council which, if carried, would increase the Council's net revenue or capital budget or might otherwise contravene Financial Procedure Rules shall stand adjourned without debate and be referred to the Cabinet to receive a report on the detailed financial implications. When the Council reconvenes to consider the motion or report it shall receive the recommendation of the Cabinet on the matter before making a decision on the motion or report and on whether to effect any change to the Council's approved Budget.

12.6.2 In the event of urgency, the Council may consider such an item without delay on receipt of a report from the Cabinet Member with responsibility for Finance as to the financial implications.

12.6.3 Where a report of the Cabinet contains a recommendation at variance with that of another body, the Mayor will call upon the Leader of the Council to move the adoption of the relevant recommendation of the Cabinet. If the matter is then settled or disposed of by the Council, no further discussion on the matter shall take place at that Council meeting and the alternate recommendation shall fall.

## **13. NOTICE OF AMENDMENTS**

13.1 An amendment to any matter contained within the summons to the meeting shall not be discussed unless the mover has given written or electronic notice of the text of the amendment in writing to the Chief Executive not later than noon the day preceding the meeting.

- 13.2 Where notice has been given of more than one amendment to a recommendation or a motion under Procedure Rule 12.1, those amendments shall be considered and put in the order of receipt of the notice.
- 13.3 It is not permissible to amend an amendment.
- 13.4 Amendments may only be merged or composited with the approval of the proposer and seconder of the amendment.

## **14. RULES OF DEBATE**

### **14.1 No Speeches until Motion or Amendment Seconded**

A motion or amendment shall not be discussed unless it has been proposed and seconded.

### **14.2 Right to Require Motion in Writing**

Unless notice of the Motion has already been given in accordance with Procedure Rule 12 or the Motion is to be moved under Procedure Rule 12.4 it shall be reduced to writing and handed to the Mayor before it is further discussed or put to the meeting.

### **14.3 Secunder's Speech**

Any Member who seconds a motion or amendment without making a speech may reserve his/her right to speak at a later period of the debate.

### **14.4 Content of Speeches**

A Member shall direct their speech to the question under discussion or to a point of personal explanation or to a point of order.

### **14.5 Length of Speeches**

14.5.1 Speeches - No Member may speak for longer than four minutes on any motion or amendment. The Council may consent to one extension of thirty seconds per speech.

14.5.2 Replies - A Member replying to debate on any motion or amendment may speak for six minutes. The Council may consent to one extension of one minute per reply.

### **14.6 Amendments to Motions**

14.6.1 An amendment to a motion must be relevant to the motion and will either be:

- a) to refer the matter to an appropriate body or individual for consideration or reconsideration;
  - b) to leave out words;
  - c) to leave out words and insert or add others (It is not permissible to delete a motion in its entirety and replace with a differently worded amendment);
- or

- d) to insert or add words; providing the effect of b) and d) is not to negate the motion or introduce a new proposal into the motion.

14.6.2 Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.

14.6.3 If an amendment is rejected, other amendments may be moved on the original motion.

14.6.4 If an amendment is carried, the motion as amended, will take the place of the original motion and will become the substantive motion upon which any further amendment may be moved.

#### 14.7 **Withdrawal of Motion**

A Member may withdraw a motion which he/she has proposed or of which notice has been given with the consent of the seconder and of the Council, the meeting's consent will be signified without discussion. No member shall speak on the motion after the proposer has asked permission for its withdrawal, unless such permission is refused.

#### 14.8 **Right of Reply**

- a) The mover of a motion shall have a right of reply at the close of the debate on the motion, immediately before it is put to the vote.
- b) If an amendment is proposed, the proposer of the original motion is entitled to reply at the close of the debate on the amendment.
- c) The proposer of the amendment shall have a right to reply at the close of the debate on the amendment immediately before it is put to the vote.
- d) After every right of reply a decision shall be taken without further discussion.
- e) A Member exercising a right of reply shall not introduce a new matter.
- f) If any business is moved by the Leader of the Council at the closing of the debate the main Opposition Party Group Leader shall have a right to speak prior to the Leader exercising their right of reply.

#### 14.9 **Motions which may be Moved During Debate**

When a motion is under debate, no other motion shall be moved except the following procedural motions:

- a) to withdraw a motion;
- b) to amend a motion;
- c) to proceed to the next business;
- d) that the question be now put;
- e) to adjourn a debate;
- f) to adjourn a meeting;
- g) to resolve into a Committee in accordance with Procedure Rule 12.4;
- h) to refer the subject of debate to Cabinet or an Overview and Scrutiny Committee;
- i) to exclude the press and public in accordance with the Access to



- Information Procedure Rules;
- j) to not hear further, or to exclude from the meeting, a member named under Procedure Rule 17.

#### 14.10 Closure Motions

14.10.1 A Member who has not spoken on the matter before the Council may, at the conclusion of a speech of another Member, move without comment:

"That the matter be now put";

"That the debate be now adjourned";

"That the Council proceeds to the next business";

"That the Council does now adjourn"; or

"That *the subject of debate* be referred to the Cabinet" or "to an Overview and Scrutiny Committee", as the case may be"

14.10.2 On seconding of any of the above, the Mayor will, if he/she considers that the matter before the meeting has been sufficiently discussed, put that closure motion to the vote. If such a motion is carried, the matter before the meeting shall be put to the vote, subject to the right of reply under Procedure Rule 14.8, or the debate shall be adjourned, or the Council shall proceed to the next business or the Council shall stand adjourned, or the business shall stand referred, as the case may be.

#### 14.11 Points of Order or Personal Explanation

14.11.1 A Member may raise a point of order or make a personal explanation at any time.

14.11.2 A point of order is an objection submitted to the Mayor claiming some irregularity in the Constitution or the conduct of the meeting or a breach of the law such as:

- a) the use of irrelevant or improper language;
- b) a quorum is not present;
- c) an amendment negates the motion before the meeting;
- d) the motion is ultra vires or not within the scope of the notice given;
- e) no question is before the meeting; or
- f) these Procedure Rules are not being complied with.

14.11.3 A point of order relates to procedure only, and not the arguments or principals or political views put forward, nor with the truth or falsehood, correctness or incorrectness of statements made in the course of debate. A Member raising a point of order may not make a speech beyond clarification of the point of order. Any member raising a point of order shall state at the outset the Procedure Rule considered to have been infringed. Every point of order shall be decided by the Mayor, whose ruling shall be final and not open to discussion, before the debate on the business proceeds.

14.11.4 A personal explanation shall be confined to clarifying briefly some material part of a former speech by that Member at the same meeting which may have been

misunderstood. A personal explanation may also enable a Member to refute or correct a statement attributed to him/her in any action he/she may have taken. The ruling of the Mayor on a point of order or on the admissibility of a personal explanation shall be final and may not be discussed.

## 15. **RESCISSION OF PRECEDING RESOLUTION**

No question or matter which within any Municipal Year has been twice decided by the Council in the same way shall, in the same Municipal Year, again be submitted for consideration, and this Procedure Rule shall not be evaded by the substitution of any motion differently worded, but, in principle, the same.

## 16. **VOTING**

### 16.1 **Majority**

Unless this Constitution or the law provides otherwise, any matter will be determined by a show of hands, and by a simple majority of those Members voting and present in the room at the time the question was put.

### 16.2 **Chairman's Casting Vote**

In the case of equality of votes, the Mayor shall have a second or casting vote.

### 16.3 **Recorded Vote**

If required by law or on the requisition of any member supported by five other Members who signify their support by show of hands before the voting on any question, the vote shall be recorded as to how each Member present and voting gave his/her vote. Immediately after any vote is taken at a budget meeting of the Council there must be recorded in the minutes of the proceedings of that meeting the names of the members who cast a vote for the decision or against the decision or who abstained from voting . " Budget decision meeting " means a meeting of the Council at which it makes a calculation under the Local Government Finance Act 1992 or issues a precept under Chapter 4 of Part 1 of that Act.

### 16.4 **Individual Member Recorded Vote**

Where, immediately after a vote is taken at a meeting of the Council, any Member so requires, the Minutes of Council will record whether that person cast his or her vote for the question or against the question, or whether he/she abstained from voting.

### 16.5 **Voting on Appointments**

16.5.1 Where there are more than two persons nominated for any position to be filled by the Council, and of the votes given there is not a majority in favour of one person, the name of the person receiving the least number of votes of those present and voting shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.

16.5.2 Where there are at any time two or more vacancies on the same body to be filled by the Council and more persons are nominated to fill those vacancies, each vacancy shall be dealt with separately in accordance with paragraph a) above.

## **17. MEMBERS' CONDUCT**

17.1 The Mayor may call the attention of the Council to continued irrelevancy, tedious repetition, unbecoming language or any breach of order on the part of a Member addressing the meeting and, after two warnings, shall not allow the Member to proceed. The Mayor shall call upon another Member to address the Council or, if no Member shall rise (subject to the right of the Mover to reply), put the question to the vote without further debate.

17.2 No Member may impute motives to, or use offensive expressions concerning, any other Member of the Council. In the event of any Member offending against this Rule, the Mayor may call upon the Member to withdraw the offensive remark.

17.3 If any Member of the Council persists in disregarding the authority of the Mayor or behaves irregularly, improperly or offensively or wilfully obstructs the business of the Council, the Mayor may call upon the Member to retire from the meeting for the remainder of the business.

## **18. SUSPENSION OF SITTING**

In a case of defiance of the authority of the Mayor, the Mayor may, on obtaining the consent of a majority of the Members of the Council present and voting on the question so to do, have the offending Member or Members of the Council, removed, and either declare the meeting closed (and leave the Chair) or declare the meeting to be adjourned indefinitely or until some stated time. Upon such declaration the meeting shall forthwith be closed or stand adjourned accordingly, and no business shall be transacted until the next duly convened meeting, or until the resumption of the meeting, in accordance with the Mayor's pronouncement.

## **19. POWER TO RESOLVE INTO COMMITTEE**

19.1 Should a Motion be moved in accordance with Procedure Rule 11.4(p) at the close of any speech, the Council may pass a resolution resolving itself into Committee.

19.2 These Council Procedure Rules shall apply to proceedings of the Council in Committee, except that any Member may speak more than once with the permission of the Mayor.

## **20. QUESTIONS AND CONFIDENTIAL OR EXEMPT INFORMATION**

- 20.1 If any question arises on any matter as to the appointment, promotion, dismissal, salary or conditions of service, or as to the conduct of any person employed by the Council, such question shall not be the subject of discussion until the Council has decided whether or not the power of exclusion of the public under Section 100A(4) of the Local Government Act 1972 shall be exercised.
- 20.2 If any question arises on any matter and it is questioned whether a consideration of that matter will require matters containing confidential or exempt information to be disclosed, such question shall not be the subject of discussion until the Council has decided whether or not the power of exclusion of the public under Section 100A(4) of the Local Government Act 1972 shall be exercised.

## **21. ADMISSION OF THE PUBLIC TO MEETINGS**

- 21.1 The public shall be admitted to all meetings of the Council so far as there is accommodation, but:
- a) at any meeting the Council may temporarily exclude the public from such meeting or any part thereof in accordance with Section 100A(2) or (4) of the Local Government Act 1972;
  - b) if a member of the public interrupts the proceedings at any meeting, the Mayor may, after warning, order that he/she be removed from the Council Chamber or that the part of the Chamber open to the public be cleared in accordance with Section 100A(8) of the Local Government Act 1972;
  - c) if a member of the public making an audio or video recording of the meeting causes disruption to the meeting or to other members of the public in attendance, the person shall comply with any direction of the Mayor;
  - d) a member of the public making an audio or video recording of the meeting shall remove their recording equipment from the room should the Council resolve to exclude the press and public.
- 21.2 Any person attending a meeting for the purpose of reporting the proceedings is to have reasonable facilities made available for taking their report.

## **22. ANNUAL BOROUGH REPORT**

The Mayor will call upon the Leader to present an Annual Borough Report. After Council has considered the report it will be:

- a) disseminated as widely as possible within the community and to agencies and organisations in the area; and

- b) considered by the Leader in proposing the Budget and Policy framework to the Council for the coming year.

### **23. YOUTH COUNCIL ANNUAL REPORT**

The Mayor will call upon the Youth Council on a date within the Municipal Year to present to Council an annual presentation of work undertaken by the Youth Council.

### **24. RULES WHICH APPLY TO COMMITTEES OF THE COUNCIL**

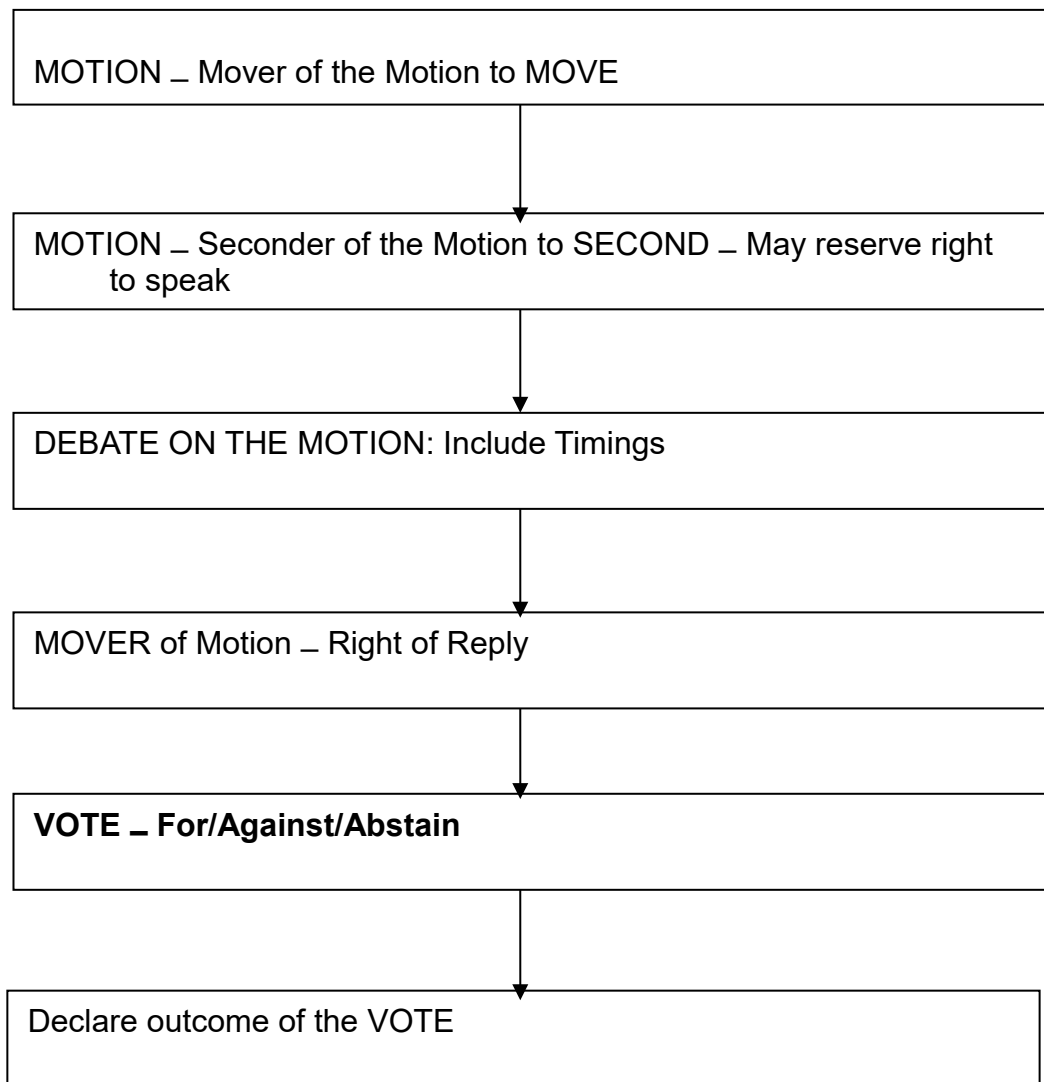
The following Council Procedure Rules will apply to all Committees and SubCommittees of the Council as described within Section 4 of Part 3 of this Constitution -

- Rule 4 Notice and Summons to Meeting
- Rule 5 Chair of Meeting ( reference to the Mayor or Chair also includes the chair of Committees and sub – committees)
- Rule 6 Speaking to the Council (except for requirement to stand when speaking)
- Rule 7 Quorum (quorum for individual meetings are specified at Section 4 of Part 3 of this Constitution)
- Rule 9 Signing of Minutes
- Rule 10 Public Questions (for all non-full Council Meetings, a public question must be received before 12 noon 2 working days before the date of the meeting)
- Rule 14 Rules of Debate (except for time limits on speaking and, with the consent of the Chair, a Member may speak more than once on any matter)
- Rule 16 Voting (but not 16.3)
- Rule 17 Members' Conduct
- Rule 18 Suspension of Sitting
- Rule 20 Questions and Confidential or Exempt Information
- Rule 21 Admission of the public to meetings

## **AGENDA AND TIMINGS FOR COUNCIL MEETING**

1. Minutes
2. Declaration of interest
3. Urgent business
4. Communications
5. Petitions
6. Youth Council      **20** mins
7. Public questions    **15** mins
8. Leader and Cabinet member reports and questions      **90** mins
9. Administration Motions    **30** mins
10. Opposition Motions      **30** mins
11. Other business, including reports

**Note** Any time not utilised in Items 1 – 10 will be allocated to Item 11.  
**PROCEDURE FOR NOTICE OF MOTIONS (NO AMENDMENT)**



## RULE ON TIMINGS

(a) Subject to (b) below, no Member shall speak longer than four minutes on any **Motion or Amendment**, or by way of question, observation or reply, unless by consent of the Members of the Council present, he/she is allowed an extension, in which case only one extension of thirty seconds shall be allowed.

(b) A Member replying to debate or questions shall be entitled to speak for six Minutes, and shall be allowed, with the consent of the Members of the Council present, on extension of one minute. (This would be the MOVER)

## PROCEDURE FOR NOTICE OF MOTIONS (WITH AMENDMENT)

