

Report to the Annual Meeting of the Council

Council Constitution

Officer Contact: Alex Bougatef, Director of Legal/Monitoring Officer

20th May 2026

Reason for Decision

To invite the Council to re-affirm the Council Constitution as a matter of good governance.

Recommendation

That the Council re-affirms the Council Constitution.

Council Constitution

1 Background

- 1.1 While the Council's Constitution can be amended by the Council during the course of any Municipal Year, it is suggested that as a matter of good governance the Council should re-affirm the Council Constitution on an annual basis.
- 1.2 The Council's Constitution is published on the Council's website and is up to date with Constitutional matters considered and agreed by the Council.

Update to the Constitution

- 1.3 A review of the Constitution through the Member's Constitution Working Group, is ongoing and a report thereon will be submitted to a future meeting of the Council.
- 1.4 As detailed in the Constitution and included in the Terms of Reference of Council, it is a requirement to adopt a scheme of members' allowances. The Independent Remuneration Panel met in February 2026. It is recommended that the existing Member's Allowance Scheme will continue into 2026/27.
- 1.5 At the Council meeting on 12th November 2025 Members voted to introduce an electronic voting system, to produce quick, accurate numbers of members voting for, against or abstaining on a motion. The system also recorded the way that each member cast their vote. Each Member possessed a desk unit which housed a microphone, LCD screen and buttons to vote for a motion, against a motion, or to abstain from voting.
- 1.6 At the Council meeting on 16th July 2025 the Council approved recommendations that had been presented by the Appointments Committee effecting revisions to the Council's senior management team structure, including the appointments of two Deputy Chief Executive, two Executive Directors and the appointment of Statutory Officers S151 Officer (Director of Finance) and the Monitoring Officer (Director of Legal).
- 1.7 The Council was, during 2025/26, consulted on The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026. Whilst these Regulations, which will come into force later in 2026, will be the subject of a separate report to Council, in due course, it should be noted that Regulation 7 limits the size of a local authority Planning Committee, hence the reason to reduce the size of Oldham Council's Planning Committee from 16 to 11 Members.

2 Options/Alternatives

- 2.1 To not agree to re-affirm the Council Constitution.

3 Preferred Option

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

4 Consultation

4.1 Discussion has taken place with the Group Leaders.

5 Financial Implications

5.1 N/A

6 Legal Implications

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

7 Equality Impact including implications for Children and Young Persons

7.1 N/A

8 Key Decision

8.1 No

9 Key Decision Reference

9.1 N/A

10 Background Papers

10.1 None.

11 Background Papers

11.1 None.

12 Appendices

12.1 None.