

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 has been updated with all Constitutional matters considered and agreed by the Council up to and including the meeting held on 25th March 2026.

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. Their recommendations were considered at the Budget Council meeting on 4th March 2026, where it was resolved that ... "Council approves the report of the Independent Remuneration Panel, and its recommendations, as set out at Appendix 1 to the submitted report, and adopts the scheme as set out in Appendix 2 for the municipal year 2026/27, effective from 1st April 2026." The scheme has been included in the Constitution.
- 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 Executives, two Executive Directors and the appointment of Statutory Officers S151 Officer (Director of Finance) and the Monitoring Officer (Director of Legal). The Constitution has been updated to reflect those changes.
- 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 as presented.

3 Preferred Option

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- 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.