

## BOROUGH OF KETTERING

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<b>Report Originator</b>	SMT	<i>Fwd Plan Ref No:</i>	
<b>Wards Affected</b>	All	17 <sup>th</sup> January 2019	
<b>Title</b>	<b>STRUCTURAL CHANGE ORDER</b>		

### 1. PURPOSE OF REPORT

To appraise members of the likely inclusions within the Structural Change Order for Local Government in Northamptonshire and to determine Members preferences.

### 2. BACKGROUND

- 2.1 At the time of writing this report, the Secretary of State had not decided whether to accept the Joint Proposal submitted by 7 of the 8 Local authorities in Northamptonshire. However, he has decided to embark on an eight-week public consultation from 29<sup>th</sup> November 2018 to 25<sup>th</sup> January 2019.
- 2.2 Subject to his consideration of consultation responses, ultimately this could lead to a Parliamentary decision to establish a new unitary authority for a West and North Northamptonshire in Spring 2020, with a shadow unitary authority as the interim transition body from late Spring 2019.
- 2.3 An important element in this process of becoming a Unitary authority is the drafting and making of the Structural Change Order (SCO).
- 2.4 The SCO is made by the Secretary of State for Housing, Communities and Local Government in the exercise of his powers within the Local Government and Public Involvement in Health Act 2007.
- 2.5 There are two key reasons as to why it is important for this committee to consider the implications of the SCO at this stage in time.
- 2.6 Firstly, although the SCO is the ultimate decision of the Secretary of State (SOS) it is clear that there will be the opportunity for formal dialogue between representatives of the Local Authorities and the MCHLG prior to the drafting of the SCO post the closure of the consultation process. Therefore it will be important to be clear about the individual authorities and ultimately the North Northamptonshire preferences of its content.
- 2.7 Secondly, once the SCO is laid before parliament, the first meeting of the "Shadow Authority", must be held not later than 14 days after the coming into force of the order. Therefore, it will be important that all the background work

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relating to the content of that first meeting, as laid out in the SCO, has been completed.

### **SCO Content**

- 2.8 Attached to this report at **Appendix A** is a table that includes,
- a) The issues likely to be included within the SCO and those to be considered either by a NN Joint Committee or under delegated powers prior to the 1st meeting of the Shadow authority.
  - b) Notes relating to each issue.
  - c) The current preferences outlined by the Leaders of the North Northamptonshire authorities that make up the North Northamptonshire Steering Group

### **3. CONSULTATION AND CUSTOMER IMPACT**

- 3.1 As outlined above in paragraph 2.1 the Secretary of State has embarked on an eight-week public consultation on the Northamptonshire proposal for Local Government Review overall which closes on the 25<sup>th</sup> January 2019.

### **4. POLICY IMPLICATIONS**

None

### **5. FINANCE and HR RESOURCE IMPLICATIONS**

None

### **6. LEGAL IMPLICATIONS**

- 6.1 The Structural Change Order is made by the Secretary of State for Housing, Communities and Local Government in the exercise of the powers conferred by sections, 7,11,12 and 13 of the Local Government and Public Involvement in Health Act 2007 (a) ("the 2007 Act").
- 6.2 A draft of the order would be laid before and need to be approved by a resolution of each of House of Parliament in accordance with section 240 (6) of the 2007 Act.

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### 7. RECOMMENDATION

- 7.1 Members of this committee are asked to consider the elements of the SCO as outlined in Appendix A and confirm their preferences.

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Background Papers:

Previous Reports/Minutes: