

# A G E N D A

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## NORTH NORTHAMPTONSHIRE JOINT COMMITTEE

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**Date:** 24<sup>th</sup> June 2019  
**Time:** 6.30 pm  
**Location:** Council Chamber  
Kettering Borough Council  
Municipal Offices  
Bowling Green Road  
Kettering  
NN15 7QX

**Committee Administrator:** Anne Ireson  
☎ 01536 534398  
✉ [anneireson@kettering.gov.uk](mailto:anneireson@kettering.gov.uk)

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Item No	Subject	
1.	Election of Chair	
2.	Appointment of Vice Chair	
3.	Apologies	
4.	Declarations of Interest	
	- <i>Disclosable Pecuniary Interests</i>	
	- <i>Personal Interests</i>	
5.	Terms of Reference ( <b>attached</b> )	Paul Goult
6.	Agreement and Standing Orders ( <b>attached</b> )	Paul Goult
7.	Local Government Reform Update and Presentation	Programme Office
8.	Establishment of Working Groups ( <b>attached</b> )	Paul Goult
9.	Schedule of Meetings ( <b>attached</b> )	Paul Goult
10.	Close of Meeting	

Agenda issued 14<sup>th</sup> June 2019

## **Membership of the North Northamptonshire Joint Committee**

Borough Council of Wellingborough:	Cllr Martin Griffiths Cllr Tom Partridge-Underwood Cllr Andrew Scarborough
Corby Borough Council:	Cllr Tom Beattie Cllr Jean Addison Cllr Kevin Watt
East Northamptonshire District Council:	Cllr Steven North Cllr David Jenney Cllr John Farrar
Kettering Borough Council:	Cllr Russell Roberts Cllr Ian Jelley Cllr Mick Scrimshaw
Northamptonshire County Council:	Cllr Victoria Perry Cllr Jonathan Ekins Cllr Jason Smithers

### ***Substitute Members***

*Councillors Mark Pengelly, Bob Eyles and David Sims (Corby); Councillors Helen Howell, Andrew Mercer and tbc (East Northamptonshire); Councillors Lloyd Bunday, Lesley Thurland and Clark Mitchell (Kettering); Councillors Tim Allebone, Barry Graves and Elayne Francis (Wellingborough); tbc (Northamptonshire County Council)*

### **Reporting on Meetings of the North Northamptonshire Joint Committee**

Members of the press and public are entitled to report on meetings of the North Northamptonshire Joint Committee, except in circumstances where they have been excluded in accordance with national rules.

If you wish to report on this meeting, please telephone or email the Committee Administrator at least two days before the meeting to enable us to provide reasonable facilities for you to do so.

If you are planning to attend, and do not wish to be recorded or photographed, please inform the Chair at the start of the meeting.

### **Private and Confidential Items**

The press and members of the public can be excluded from business of the meeting on the grounds that it involves items of business which include the likely disclosure of exempt information as defined by Schedule 12A to the Local Government Act 1972. The reason for discussing the issue in private is indicated on the Order of Business.

## **MEETINGS AT KETTERING BOROUGH COUNCIL**

### **Fire Alarm**

All meetings shall be adjourned immediately on the sounding of the fire alarm. The alarm is a continuous two-tone siren. On hearing the alarm please leave the building by the nearest emergency exit. There are emergency exits at both ends of the corridor outside the meeting rooms. On leaving the building please cross the car park and assemble on the grassed area by the church. Do not attempt to drive out of the car park as this may impede the arrival of emergency vehicles. Please do not return to the building until you are told it is safe to do so by a Council employee.

### **Toilets**

There are toilets in the corridor off the main entrance to the building you came through to get to the meeting room.

### **Facilities for Babies and Children**

If you wish to use a private area to feed your baby please ask a member of staff. There are changing facilities in the corridor off the main entrance adjacent to the toilets.

### **Access for Disabled People**

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A hearing loop is available during all public meetings that take place in the Council Chamber or Committee Room. Please switch your hearing aid or other device to the appropriate setting (commonly the "T" setting).

### **No Smoking**

Smoking is not permitted in the Municipal Offices.

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<b>Report Originator</b>	Paul Goult on behalf of the Monitoring Officer Group	<i>Fwd Plan Ref No:</i> N/A	
<b>Wards Affected</b>	ALL	24 <sup>th</sup> June 2019	
<b>Title</b>	<b>Joint Committee Terms of Reference</b>		

### 1. PURPOSE OF REPORT

For Members to note the Terms of Reference agreed by sovereign councils for the North Northamptonshire Joint Committee

### 2. BACKGROUND

In August 2018 seven of the eight principal authorities within Northamptonshire resolved to submit a joint proposal for the abolition of the current principal authorities and creation of two new unitary authorities. One of these new unitary authorities (referred to as North Northamptonshire) would comprise the area currently covered by the Borough Council of Wellingborough, Corby Borough Council, Kettering Borough Council and East Northamptonshire Council.

The joint proposal was submitted to the Secretary of State for Housing, Communities and Local Government.

The Secretary of State announced on the 14<sup>th</sup> May 2019 that having considered submissions made and responses to consultation that he supported the joint proposal submitted by the seven local authorities. The Secretary of State indicated that secondary legislation would follow to implement the following:-

*"...the new North Northamptonshire authority will cover the existing districts of Kettering, Corby, East Northamptonshire and Wellingborough. The West Northamptonshire authority will cover the existing districts of Daventry, Northampton and South Northamptonshire.*

*The new authorities will replace the current 2-tier system of local government and will be a significant step towards ensuring residents and businesses across Northamptonshire can in future have the sustainable high-quality local services they deserve. The new councils will align transport, housing and environment services and improve education and skills provision..."*

Further discussions between the existing local authorities and the Government will continue to determine the transitional and implementation timetable. It is envisaged that the Shadow Council will not meet until May 2020.

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Below is the current understanding of the proposed timeline; this is subject to statutory confirmation –

Shadow Council elections to be held with 78 Shadow Councillors elected <i>(these elections will be combined with the elections for Northamptonshire Police &amp; Crime Commissioner and with town &amp; parish councils)</i>	7 <sup>th</sup> May 2020
First Shadow Full Council meeting to be held	By end of May 2020
Vesting Day for new unitary council	1 <sup>st</sup> April 2021
Second elections for the new council	May 2025 (then every four years)

A glossary of key terms used is given below:-

Structural Changes Order (SCO) – the legislative instrument which sets out the date when existing local authorities are abolished and the process to be followed during the transition phase (Shadow Period) to the creation of the new unitary authorities (Vesting Day).

Shadow Period – the Shadow Period (also referred to as the transition period) commences from when the Structural Changes Order (SCO) comes into force and finishes the day before Vesting Day (the day the new unitary authority comes into being). The Shadow Period will commence when the Order has completed its parliamentary process.

It should be noted that during the Shadow Period the existing local authorities will continue to operate and fulfil their normal duties and responsibilities.

Shadow Council Elections – it is currently envisaged that elections to the new authority will be held on 7<sup>th</sup> May 2020. Members elected will serve an initial 5-year term of office. The first year will be as members of the Shadow Council until Vesting Day (1<sup>st</sup> April 2021) when the current councils will be abolished and the new unitary council is fully operational.

The elections in 2020 are likely to be based on current county divisions, with each electing three Members. There would be a total of 78 Members elected to the Shadow Council.

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The Shadow Full Council and any committees it may establish will have responsibility for the transition to the new unitary authority; it will not have responsibility for the delivery of current services provided by the existing local authorities.

Shadow Council Constitution – the Shadow Council will need to adopt a Constitution to ensure proper governance arrangements are in place. A draft Constitution will be developed under the supervision of the Joint Committee.

A constitution for the new unitary council will be developed by the Shadow Council during 2020/21.

Vesting Day – the day when the existing authorities are abolished and the new authorities are created. Currently envisaged to be 1<sup>st</sup> April 2021.

### 3. REPORT

The Terms of Reference agreed by the sovereign councils were based on a template developed by the County Monitoring Officer Group with input from the North Northamptonshire Programme Board.

The Terms of Reference are specific to those governance and operational issues that require attention prior to the establishment of a Shadow Authority. The Shadow Authority at its first Full Council meeting will need to agree certain governance arrangements. To ensure that the recommendations received by the Shadow Authority have some political integrity and been subject to scrutiny, the Joint Committee will be responsible for formulating these recommendations and forwarding them for approval by the Shadow Authority.

Whilst the Shadow Authority has the power to amend recommendations received, the Authority will be required under statute to make certain decisions within certain criteria.

In order to assist the Joint Committee it is being proposed that a small number of time-limited topic specific working groups be established to formulate the recommendations required. A specific report on this matter features elsewhere on the Joint Committee's agenda.

The new Shadow Authority through its own governance structure will take on responsibility for the planning towards a new unitary authority.

The Joint Committee cannot unilaterally amend, add to or delete from its Terms of Reference. Any changes need to be agreed by each of the partner authorities through their respective sovereign Full Council meetings.

Potentially references may be made in the Structural Changes Order that impact on the work of the Joint Committee. This will need to be monitored. It

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is being suggested elsewhere on the agenda that a working group be established to consider what, if any, additions to the current Terms of Reference may be advisable/desirable for future consideration now that the Secretary of State has made his announcement.

In light of the recent statement from the Secretary of State and the revised date of Vesting Day, it is suggested that there is a need to review the currently agreed Terms of Reference to ensure that they remain “fit for purpose” and encompass the required level of decision making.

#### **4. FINANCIAL IMPLICATIONS**

There are currently no direct additional costs related to the work of the Joint Committee. Officer support will be drawn from partner authorities and the central LGR Project Team.

In relation to the work of the Independent Remuneration Panel there will be a need to consider the expenses of Panel Members. This issue will need to be considered by the proposed Joint Committee working group.

#### **5. LEGAL IMPLICATIONS**

Section 101(5) of the Local Government Act 1972 (LGA 1972) enables a local authority to enter into arrangements for the discharge of its functions jointly with, or by, one or more other authority. Under Section 102 of the LGA 1972, local authorities are empowered to appoint joint committees to discharge functions of the councils or to advise the councils.

All principal councils represented within North Northamptonshire have, under the 1972 Act, delegated functions as represented in the agreed Terms of Reference.

#### **6. CONCLUSION**

The Joint Committee is requested to note the Terms of Reference agreed by the five principal local authorities in North Northamptonshire.

#### **7. RECOMMENDATION**

- i) Note the Terms of Reference for the North Northamptonshire Joint Committee; and**
- ii) Note that any additions, amendments or deletions to these Terms of Reference require the prior approval of all sovereign councils.**



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### Background Papers:

Local Government Act 1972 (as amended)

Borough Council of Wellingborough Full Council – 26<sup>th</sup> February 2019

Corby Borough Council Full Council – 27<sup>th</sup> February 2019

East Northamptonshire Council Full Council – 20<sup>th</sup> February 2019

Kettering Borough Council Full Council – 6<sup>th</sup> March 2019

Northamptonshire County Council Full Council – 28<sup>th</sup> February 2019

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### Appendix 1 – Terms of Reference

1. To consider and recommend a Constitution to be adopted by the North Northamptonshire Shadow Authority at its inaugural Full Council meeting;
2. To consider and recommend a Members Code of Conduct to be adopted by the Shadow Authority at its inaugural Full Council meeting;
3. To agree and undertake the recruitment process for the selection of the posts of Interim Head of Paid Service, Interim Chief Finance Officer (section 151) and Interim Monitoring Officer for the Shadow Authority and recommend to the Shadow Authority at its inaugural Full Council meeting nominations for the three statutory officers;
4. To consider and recommend to the Shadow Authority at its inaugural Full Council meeting a nomination for the post of Returning Officer;
5. To consider and initiate appropriate mechanisms for the recruitment of a permanent Chief Executive (Head of Paid Service), including provisional terms and conditions, including salary, and method of selection, so that the earliest possible appointment can be made by the Shadow Authority;
6. To monitor and seek to mitigate any potential risks associated with the Local Government Reform (LGR) programme, the creation of a Shadow Authority and creation of a unitary council for North Northamptonshire and to establish/agree protocols or processes to manage the risks to LGR;
7. To establish and propose a Calendar of Meetings for the Shadow Authority for adoption at its inaugural meeting;
8. To respond to consultations on the contents of orders, consents or any other matters where specifically requested to do so by the North Northamptonshire Steering Group;
9. To establish/agree any protocol or process which, if not implemented in a timely manner, may threaten the establishment of a unitary council within the deadline set by the Secretary of State;
10. To receive recommendations/reports from work streams that require Joint Committee approval so long as those relate to the Joint Committee's terms of reference referenced above; and
11. To agree the process for an independent review of a Scheme of Members Allowances for the Shadow Authority, including the setting up of an Independent Remuneration Panel and to recommend to the Shadow Authority a Scheme of Members Allowances for adoption.

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<b>Wards Affected</b>	ALL	24 <sup>th</sup> June 2019	
<b>Title</b>	<b>Agreement &amp; Standing Orders</b>		

**1. PURPOSE OF REPORT**

For Members to approve procedures & standing orders in relation to the operation of the Joint Committee.

**2. BACKGROUND**

The purpose of the proposed Agreement & Standing Orders is to ensure there are clear rules about the operation and conduct of the Joint Committee, ensuring that Elected Members are able to consider and determine matters in an efficient and effective way. The key elements included in the proposed document are similar in nature to those in operation among constituent councils, whilst recognising there may be variations subject to local circumstances.

If the Joint Committee feels it appropriate in the future to review this document it may do so subject to consultation with the North Northamptonshire Monitoring Officer Group.

**3. REPORT**

The proposed document covers how meetings of the Joint Committee will be conducted and rules around the structure of the committee, compilation of agendas, consideration and determination of reports, the role of officers, the role of any working groups established and public participation.

Public Participation

The importance of ensuring that the public can raise issues within the Terms of Reference of the Joint Committee and in relation to agenda items to be discussed is recognised. The current Terms of Reference are fairly limited in nature, however the public may have views they wish to express on matters to be determined.

Whilst much of the work of the Joint Committee is likely to be of a “housekeeping” nature there will be elements of public interest. Ensuring that there is a public participation item in future meetings of the Joint Committee will allow for proportionate public involvement.

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It is recognised that members of the public and Members who are not members of the Joint Committee may wish to express comment or submit questions on matters under discussion.

The proposed Standing Orders makes allowance for this setting the minimum requirement. The Chair will have discretion to vary public participation dependant on the number of requests received and the interest generated by a particular agenda item; this discretion to be used in a reasonable and proportionate manner.

Contributions under the public participation item will be restricted to matters to be determined by the Joint Committee and relevant to the terms of reference agreed.

### Officers

There is a requirement to ensure identified officers to support the work and operation of the Joint Committee.

For the purpose of the Agreement & Standing Orders the following officers are currently identified:-

- Proper Officer/Lead Chief Executive – Graham Soulsby (Kettering BC)
- Lead Chief Finance Officer – Mark Dickenson (Kettering BC)
- Lead Monitoring Officer – Paul Goult (Corby BC)
- Committee Clerk(s) for Joint Committee – Anne Ireson/Callum Galluzzo (Kettering BC)
- Committee Clerks for working groups – to be drawn from constituent authorities.

#### **4. Financial Implications**

There are currently no direct additional costs related to the work of the Joint Committee. Officer support will be drawn from partner authorities and the central LGR Project Team.

If expenditure is identified in future reports, the Joint Committee will need to confirm at the time of determination and with the agreement of all constituent authorities the appropriate budgetary provision.

#### **5. Legal Implications**

Section 101(5) of the Local Government Act 1972 (LGA 1972) enables a local authority to enter into arrangements for the discharge of its functions jointly with,

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or by, one or more other authority. Under Section 102 of the LGA 1972, local authorities are empowered to appoint joint committees to discharge functions of the councils or to advise the councils.

All principal councils represented within North Northamptonshire have, under the 1972 Act, delegated functions as represented in the agreed Terms of Reference.

### **6. Conclusion**

The Joint Committee is requested to approve the Agreement & Standing Orders detailed in Appendix 1 for the future operation of the Joint Committee.

### **7. RECOMMENDATION**

- i) Approve the Agreement & Standing Orders (Appendix 1) as circulated.**

Background Papers:

Joint Committee Terms of Reference

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## North Northamptonshire Joint Committee Agreement & Standing Orders

### 1. Title

- 1.1 The joint committee will be known as the “North Northamptonshire Joint Committee”.

### 2. Membership

- 2.1 The membership of the Joint Committee shall consist of:

- 3 Elected Members from the Borough Council of Wellingborough
- 3 Elected Members from Corby Borough Council
- 3 Elected Members from East Northamptonshire Council
- 3 Elected Members from Kettering Borough Council
- 3 Elected Members from Northamptonshire County Council

- 2.2 Each council will select its membership in line with their respective constitutional arrangements.

- 2.3 Named substitutes for each council may be provided to cover in the event of apologies being received from a member of the Joint Committee. The number of named substitutes shall not exceed three from any constituent council. The names of the full and substitute membership shall appear on the summons.

- 2.4 A council’s representation to the Joint Committee may be amended subject to written confirmation being received by the lead Monitoring Officer from the respective council’s Proper Officer.

- 2.5 The Commissioners appointed by the Secretary of State for Housing, Communities & Local Government to Northamptonshire County Council, shall be entitled to address the Joint Committee on issues relevant to their functions at the County Council and under their direction from the Secretary of State, but are not members of the Joint Committee.

### 3. Quorum

- 3.1 The quorum for meetings of the Joint Committee will be 6 elected members (providing that members from at least three different constituent councils are in attendance).

#### **4. Minutes**

- 4.1 The Joint Committee shall be requested to approve the minutes of their previous meeting. The Chairman shall sign a copy of the previous meeting's minutes once agreed by the Joint Committee.

#### **5. Committee Timetable**

- 5.1 Details of the scheduled meeting dates of the Joint Committee will be published and a copy of the scheduled dates circulated to all elected members in North Northamptonshire (district and county).
- 5.2 Extraordinary meetings of the Joint Committee may be called to discuss business that cannot await determination until the next scheduled meeting. The business to be discussed must relate to the Joint Committee's Terms of Reference and be matters that have been delegated to the Joint Committee.

Extraordinary meetings may be called by:-

The Proper Officer (after consultation with the Chairman);

Seven full Members of the Joint Committee on presentation of a written requisition to the Proper Officer.

#### **6. Summons and Agendas**

- 6.1 The Joint Committee is subject to the Local Government Act 1972 (as amended). The summons and agenda for meetings of the Joint Committee will be published 5 clear days prior to the date of the meeting.
- 6.2 The summons and agenda will be issued by the lead Chief Executive Officer for North Northamptonshire who shall act as Proper Officer.
- 6.3 The summons and agenda will be uploaded onto the website of each partner council or a link provided to the host website.
- 6.4 The summons and agenda will be publically displayed at the council offices of the authority hosting the meeting.
- 6.5 Lack of service of the summons to a member of the Joint Committee shall not affect the validity of the meeting.

#### **7. Exclusion of Press & Public**

- 7.1 Members of the press & public may be excluded from all or part of the meeting subject to the Local Government Act 1972 (as amended) and subsequent statutory provision. A vote by Members to exclude the press & public will be taken as appropriate.



## **8. Terms of Reference**

- 8.1 The Terms of Reference of the Joint Committee shall be those agreed by all constituent councils at their respective council meetings held in February/March 2019 (see below).
- 8.2 Any variation to the Terms of Reference, once discussed and approved by the Joint Committee, will be subject to ratification by the constituent councils. Any addition/amendment/deletion to the agreed Terms of Reference will not be effective until all constituent councils have determined the request and provided consent.

## **9. Venue(s)**

- 9.1 The venue(s) for meetings of the Joint Committee will be in locations accessible to the press & public. The press & public will be afforded reasonable seating to allow for them to observe the business of the Joint Committee. Meetings of the Joint Committee will be held in rotation at venues within North Northamptonshire.

## **10. Timing of Meetings**

- 10.1 Meetings of the Joint Committee will normally commence at 6:30 pm.
- 10.2 Where it is necessary to do so, a meeting can commence at a different time as long as this is clearly indicated on the summons issued. Once a summons is issued there can be no amendment to the date and time of the meeting.

## **11. Chairman & Vice Chairman**

- 11.1 At its first meeting the Joint Committee will elect a Chairman from its membership and appoint a Vice Chairman. Only full members of the Joint Committee may be elected Chairman or appointed Vice Chairman. The normal period of office will be for the duration of the municipal year.
- 11.2 The Chairman and the Vice Chairman shall not be representatives from the same local authority.
- 11.3 In the absence of both the Chairman and Vice Chairman from a meeting those present may appoint a Chairman from their number for the duration of that meeting or until the Chairman or Vice Chairman joins the meeting.
- 11.4 The Chairman of the meeting will be responsible for ensuring the agenda business is dealt with in an orderly and efficient manner and to ensure the good conduct of Members, officers, press & public attending.
- 11.5 The Chairman shall have the final say at the meeting on the application of standing orders and ensuring the efficient conduct of agenda business.

**12. Voting**

- 12.1 Matters requiring determination shall be decided by a simple majority of those Joint Committee members voting and being present in the room at the time the question is put. If there are an equal number of votes for and against a proposal the Chairman will have a casting vote.
- 12.2 A recorded vote will be taken where a majority of those members present request it.
- 12.3 Where any Joint Committee member requests it immediately after the vote is taken their vote shall be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

**13. Public Participation**

- 13.1 The public and non-Joint Committee Elected Members may request the right to address meetings of the Joint Committee or ask questions in relation to items to be discussed by the Committee and listed on the agenda.
- 13.2 Public Participation will normally be taken at the start of the meeting prior to consideration of any reports.
- 13.3 Requests to address Committee must be made in writing (or by email) to the Proper Officer (lead Chief Executive Officer) or representative (Committee Administrator) at least 2 clear working days prior to the day of the Committee meeting. If the item is a question then the full question needs to be submitted in order that a response can be provided at the meeting. If a substantive response cannot be provided at the meeting then a written response will be provided by a time notified to the questioner.
- 13.4 A maximum of 21 minutes will be allocated for public participation for each committee meeting. A speaker will be allocated up to 3 minutes. The first seven requests to address Committee will be taken in the order received. An individual may only submit a request to address committee once at a particular meeting.
- 13.5 Those addressing the Committee must restrict their comments or question to the business to be discussed.
- 13.6 The Chairman of the Committee meeting has discretion to extend or terminate the period of participation if it is felt reasonable and proportionate to do so.

**14. Code of Conduct**

- 14.1 A member of the Joint Committee will be subject to the Members' Code of Conduct of their respective council whilst participating in meetings of the Committee.

**15. Duration of Meeting**

- 15.1 No meeting of the Joint Committee shall exceed 2 hours unless a majority of those members attending vote to continue. When agreeing to continue the meeting a new closure time will be agreed, if this is reached a further vote to extend the meeting may be taken.

**16. Officers**

- 16.1 The Joint Committee should ensure when considering an item for decision that the relevant professional advice has been provided either within the report or at the meeting where the report is considered.
- 16.2 The advice of the lead statutory officers (lead Chief Executive, lead Chief Finance Officer, lead Monitoring Officer) should be taken into account when considering an item for decision together with advice from other professional officers as appropriate.

**17. Policy for the recording of Joint Committee Meetings**

- 17.1 The policy (see below) applies to all formal meetings of North Northamptonshire Joint Committee held under the Local Government Act 1972 (as amended).
- 17.2 The policy is intended to enhance the rights of access by the press and public to Joint Committee meetings. It only applies to those meetings where the press and public would normally have rights of access.

**18. Joint Committee Agenda Procedure**

- 18.1 All items for decision must be clearly itemised on the agenda of the meeting.
- 18.2 No item may be placed on the agenda without the following consultation having been conducted :-
- Lead Chief Executive Officer (or if absent their nominated deputy)
  - Lead Chief Finance Officer (or if absent their nominated deputy)
  - Lead Monitoring Officer (or if absent their nominated deputy)
  - Chairman of the Joint Committee (or in their absence Vice Chairman)
- 18.3 The Joint Committee should ensure when considering an item for decision that the relevant professional advice has been provided either within the report or at the meeting where the report is considered.
- 18.4 Each agenda item should include a covering report, containing all relevant information, options and implications relating to the matter to be determined.
- 18.5 The advice of relevant officers or external consultants should be taken into account when considering an item for determination.

- 18.6 Each agenda item should include a clear and concise recommendation.
- 18.7 Agenda items should relate to the Committee’s agreed Terms of Reference.
- 18.8 Other reports relating to items connected to the Local Government Reform programme in Northamptonshire may be tabled but for discussion only not determination.
- 18.9 The assumption will be that reports submitted to the Joint Committee shall be open to the press & public unless application of an exemption clause is necessary. The lead Monitoring Officer will advise the Joint Committee on this matter ensuring any decision to exempt an item of agenda business is lawful and proportionate.

**19. Working Groups**

- 19.1 The Joint Committee may create and appoint membership to working groups.
- 19.2 Working groups do not have delegated decision making powers but are to formulate proposals and recommendations for determination by the Joint Committee.
- 19.3 Working groups are not subject to the Local Government Act 1972 (as amended).
- 19.4 The Joint Committee will appoint from its membership a member (who shall be a full member) to chair a working group.
- 19.5 The membership of each working group shall be 5 members, with one member from each constituent body. Apart from the Chairman (who must be a full member of the Joint Committee) partner councils may nominate other members from their respective councils to sit on a working group.
- 19.6 Stakeholders and external bodies may attend working group meetings by invitation to act as expert witnesses.
- 19.7 The quorum of each working group shall be 3 members.

**20. Rules of Debate for Agenda Items**

- 20.1 All contributions will be through the Chairman.
- 20.1 The Chairman will introduce the relevant officer who shall summarise the contents of the report before the Committee.
- 20.2 The Chairman will then allow contributions from members of the Committee, including questions to the officer.
- 20.3 Whilst there is no time limit on member’s contributions, nor limit on the number of contributions a member may make on an agenda item, the

Chairman will use his/her discretion to ensure that as many members as possible are able to contribute, that repetition is minimised, that contributions are relevant to the agenda item and that an agenda item is dealt with in a timely and efficient manner.

- 20.4 Once all contributions have been made on an agenda item or the Committee or Chairman feel that adequate consideration has been given to an agenda item then the Committee shall move to a vote and/or next business as appropriate.
- 20.5 The recommendation contained in the officer report shall be moved and seconded prior to a vote being taken. The recommendation within the report may be amended by the agreement of the Committee prior to a vote being taken.

## **21. Committee Administration & Funding**

- 21.1 Committee administration for the Joint Committee and any sub-committees or working groups it may establish will be shared among officers from the constituent councils under the supervision of the lead Monitoring Officer.
- 21.2 Any Members' costs and expenses resulting from the Joint Committee (including those in relation to the Chairman and Vice Chairman) will be funded and administered by their respective authorities.
- 21.3 With regard to budget setting and funding, where costs arise from the work of the Joint Committee members will agree whether these costs are met with agreement by individual authorities or collectively by agreement.

## **22. Duration**

- 22.1 Subject to any future statutory instrument, the Joint Committee shall be constituted at its first meeting and remain in force until the day after the Shadow Full Council for North Northamptonshire holds its first meeting.
- 22.2 Subject to any future statutory instrument, the Joint Committee is formed voluntarily by the constituent councils. Should a council determine to withdraw from the Joint Committee, subject to resolution of their respective council, then the Joint Committee will be dissolved in its current format.

### **Officer Support (as at 24<sup>th</sup> June 2019)**

Proper Officer/lead Chief Executive – Graham Soulsby (Kettering BC)

Lead Chief Finance Officer – Mark Dickenson (Kettering BC)

Lead Monitoring Officer – Paul Goult (Corby BC)

Committee Clerk(s) – Anne Ireson/Callum Galluzzo (Kettering BC)

## North Northamptonshire Joint Committee

### Terms of Reference

1. To consider and recommend a Constitution to be adopted by the North Northamptonshire Shadow Authority at its inaugural Full Council meeting;
2. To consider and recommend a Members Code of Conduct to be adopted by the Shadow Authority at its inaugural Full Council meeting;
3. To agree and undertake the recruitment process for the selection of the posts of Interim Head of Paid Service, Interim Chief Finance Officer (section 151 Officer) and Interim Monitoring Officer for the Shadow Authority and recommend to the Shadow Authority at its inaugural Full Council meeting nominations for the three interim statutory Officers;
4. To consider and recommend to the Shadow Authority at its inaugural Full Council meeting a nomination for the post of Returning Officer;
5. To consider and initiate appropriate mechanisms for the recruitment of a permanent Chief Executive (Head of Paid Service), including provisional terms and conditions, including salary, and method of selection, so that the earliest possible appointment can be made by the Shadow Authority.
6. To monitor and seek to mitigate any potential risks associated with the Local Government Reform programme (LGR), the creation of a Shadow Authority and creation of a Unitary Council for North Northamptonshire and to establish/agree relevant protocols or processes to manage the risks to LGR;
7. To establish and propose a Calendar of Meetings for the Shadow Authority for adoption at its inaugural meeting;
8. To respond to consultations on the content of orders, consents or any other matters where specifically requested to do so by the North Steering Group;
9. To establish/agree any protocol or process which, if not implemented in a timely manner, may threaten the establishment of a Unitary Council within the deadline set by the Secretary of State;
10. To receive recommendations/reports from work streams that require Joint Committee approval so long as those relate to the Joint Committee's terms of reference referenced above.
11. To agree the process for an independent review of a Scheme of Members Allowances for the Shadow Authority, including the setting up of an Independent Remuneration Panel and to recommend to the Shadow Authority a Scheme of Members Allowances for adoption.

## **North Northamptonshire Joint Committee**

### **Recording of Council Meetings – Policy**

This policy applies to all formal meetings of North Northamptonshire Joint Committee held under the Local Government Act 1972 (as amended).

The policy is intended to enhance the rights of access by the press and public to Joint Committee meetings. It only applies to those meetings where the press and public would normally have rights of access.

- Recording either audio, visual or both will be permitted from the area designated as the “public gallery”.
- No audio-visual equipment will be permitted to be placed in the immediate vicinity of the Elected Members or Officers participating in the meeting.
- No flash photography will be permitted during the course of the meeting.
- The Chair of the relevant meeting retains the right to require that any equipment in use is relocated, switched-off or removed should it prove to be disruptive to the smooth and efficient conduct of the meeting.
- All equipment used to record the proceedings of the meeting will have its own power supply; no venue’s power supply will be used at any time.
- All equipment used to record proceedings of the meeting shall be silent when in use and cause no distraction to participants of the meeting or other members of the “public gallery”.
- Users of audio-visual recording equipment will comply with all reasonable requests relating to health & safety e.g. in relation to trip hazards etc.
- Where members of the public are participating in a meeting under the Committee’s Public Participation Policy they shall be requested to give explicit permission for their contribution to be recorded.
- There shall be no filming or recording of the area designated as the “public gallery” at any time.

- Any recordings of meetings do not under law replace or negate the officially recorded minute of that particular meeting.
- Recording equipment will be turned off during any adjournment periods during a meeting.
- Any issues or queries relating to the implementation of this policy shall be referred to the Proper Officer (lead Chief Executive) or their designated representative (Committee Clerk).



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<b>Report Originator</b>	Paul Goult on behalf of the Monitoring Officer Group	<i>Fwd Plan Ref No:</i>	
<b>Wards Affected</b>	ALL	24 <sup>th</sup> June 2019	
<b>Title</b>	<b>Establishment of Working Groups</b>		

**1. PURPOSE OF REPORT**

For Members to consider the establishment of four working groups, agreeing the Terms of Reference, membership and reporting timeline of each group.

**2. BACKGROUND**

The Terms of Reference for the Joint Committee require action to be taken in preparing a number of draft reports and recommendations to be tabled at the inaugural meeting of the North Northamptonshire Shadow Full Council.

The Joint Committee cannot take decisions which are reserved to the Shadow Authority; however it may formulate recommendations and prepare options for Members to consider.

Failure to undertake this preparation may result in the Shadow Authority being unable to take critical decisions at its inaugural Full Council meeting and delay the progress of transition to the new unitary arrangements.

**3. REPORT**

To assist the Joint Committee in meeting its responsibilities under its Terms of Reference, and prior to the commencement of the Shadow Authority, it is proposed to establish topic-specific working groups.

The purpose of each working group will be to discuss specific issues, consider options and formulate proposals to be submitted to the Joint Committee in due course. The working groups will not be decision making bodies but will through their activity assist the Joint Committee in its work.

Across the suggested topic areas, the Joint Committee will be required to submit recommendations to the Shadow Authority.

**Operational Procedures**

It is recommended that the Joint Committee appoints Members to the working groups in accordance with the Joint Committee Agreement & Standing Orders.

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- The Chairperson of each working group to be a full Member of the Joint Committee.
- Four other Members, one from each partner authority (excluding that of the working group Chairperson) be appointed.
- The quorum for meetings of the working group be three Members;
- No substitute arrangements are in place for the working groups; however each principal council may amend its permanent representation if circumstances dictate.
- Whilst the Joint Committee will appoint the Chairperson for each working group, delegated authority will be given to the lead Monitoring Officer in consultation with the respective local authority Leaders to appoint their respective representation to the other working group positions. This may include Members who do not sit on the Joint Committee.
- There is no requirement for the working groups to be politically balanced. There is a requirement for each partner authority to be offered the opportunity to formally participate.
- Each working group may invite expert witnesses to attend to assist with the formulation of the group's draft proposals/options.
- Administrative support will be provided to each working group by Democratic Services staff. A "subject matter" specialist will also be appointed to support the working group.
- Each working group will initially agree a Scoping Document which will include:-

The purpose of the working group's activity

The required potential outcomes

Timescales

Schedule of Meetings

Potential witness evidence and/or research required

Confirmation of officer support for the working group

It is being proposed that four working groups be established:-

### **Governance Working Group**

Under the agreed Terms of Reference there is a requirement for the Joint Committee to:-

*"...consider and recommend a Constitution to be adopted by the North Northamptonshire Shadow Authority at its inaugural Full Council meeting"*

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and “to consider and recommend a Members’ Code of Conduct to be adopted by the Shadow Authority at its inaugural Full Council meeting.”

### **Statutory Officer Appointments Working Group**

Under the agreed Terms of Reference there is a requirement for the Joint Committee to:-

*“...agree and undertake the recruitment process for the selection of the posts of Interim Head of Paid Service, Interim Chief Finance Officer (s.151 Officer) and Interim Monitoring Officer for the Shadow Authority and recommend to the Shadow Authority at its inaugural Full Council meeting nominations for the three interim statutory officers” and “to consider and recommend to the Shadow Authority at its inaugural Full Council meeting a nomination for the post of Returning Officer” and “to consider and initiate appropriate mechanisms for the recruitment of a permanent Chief Executive (Head of Paid Service), including provisional terms and conditions, including salary, and method of selection, so that the earliest possible appointment can be made by the Shadow Authority”.*

### **Independent Remuneration Panel (IRP) Working Group**

Under the Terms of Reference there is a requirement for the Joint Committee to:-

*“...agree the process for an independent review of a Scheme of Members’ Allowances for the Shadow Authority, including the setting up of an Independent Remuneration Panel and to recommend to the Shadow Authority a Scheme of Members’ Allowances for adoption”.*

It should be noted that this working group relates to the establishment of an Independent Remuneration Panel and monitor its progress. The working group will not be responsible for undertaking the review exercise or the content of any final recommendations from the Panel, which would be forwarded to the Shadow Authority without modification or redaction.

### **Terms of Reference Working Group**

In light of the Secretary of State’s announcement of 14<sup>th</sup> May 2019 to consider what additions or amendments may be required to the Terms of Reference of the Joint Committee, to ensure adequate arrangements are in place prior to the commencement of the Shadow Period.

## **4. FINANCIAL IMPLICATIONS**

There are currently no direct additional costs related to the work of the Joint Committee. Officer support will be drawn from partner authorities and the central LGR Project Team.

In relation to the work of the Independent Remuneration Panel there may be a need to consider the expenses of Panel Members. This issue will need to be

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considered by the proposed Joint Committee working group when establishing the Panel.

### 5. **LEGAL IMPLICATIONS**

Section 101(5) of the Local Government Act 1972 (LGA 1972) enables a local authority to enter into arrangements for the discharge of its functions jointly with, or by, one or more other authority. Under Section 102 of the LGA 1972, local authorities are empowered to appoint joint committees to discharge functions of the councils or to advise the councils.

All principal councils represented within North Northamptonshire have, under the 1972 Act, delegated functions as represented in the agreed Terms of Reference.

### 6. **CONCLUSION**

The Joint Committee is requested to authorise the establishment of the three working groups detailed in the report. These working groups are topic-specific and time-limited. Appropriate officer support will be provided.

The Joint Committee will receive reports, including options and recommendations, from each working group for consideration. The Joint Committee will be responsible for forwarding any draft recommendations or nominations to the Shadow Authority.

### 7. **RECOMMENDATION**

- i) **Approve the establishment of the following working groups:-**

**Governance Working Group  
Statutory Officer Appointments Working Group;  
Independent Remuneration Panel (IRP) Working Group; and  
Terms of Reference Working Group**

- ii) **The Chair of each working group be appointed by the Joint Committee and a maximum of 4 further Members be appointed to each working group as detailed within the report.**

- iii) **Approve the terms of reference for each of the working groups (Appendix 1) and the operational procedures as detailed within the report.**

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### **Appendix 1 – Draft Terms of Reference**

#### **Governance Working Group**

To consider the type of Constitution that would be suitable for the Shadow Authority taking into account its likely functions and duration.

To prepare a draft Members' Code of Conduct for the Shadow Authority.

To propose arrangements for dealing with complaints regarding alleged breaches of the Members' Code of Conduct including the appointment of Independent Persons.

#### **Statutory Officer Appointments Working Group**

To recommend to the Joint Committee a recruitment process for the selection of:-

- Interim Head of Paid Service
- Interim Chief Finance Officer
- Interim Monitoring Officer
- And if appropriate a Returning Officer (for the purposes of the first elections to the new unitary body)

To recommend to the Joint Committee a recruitment process for the selection of:-

- Permanent Head of Paid Service

#### **Independent Remuneration Panel (IRP)**

In respect of the establishment of an Independent Remuneration Panel for the purpose of recommending a Scheme of Allowances for the Shadow Authority to include:-

Scope and timetable of the Review

Appointment of Panel Members

Remuneration of Panel Members

#### **Terms of Reference Working Group**

To consider whether amendment is required to the Joint Committee's Terms of Reference in light of the Secretary of State's announcement of 14<sup>th</sup> May 2019 and the probability that the Shadow Period will not commence until May 2020.

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<b>Wards Affected</b>	ALL	24 <sup>th</sup> June 2019	
<b>Title</b>	<b>Schedule of Meetings</b>		

### 1. PURPOSE OF REPORT

To approve a draft schedule of meetings for the North Northamptonshire Joint Committee for 2019/2020.

### 2. BACKGROUND

The North Northamptonshire Joint Committee will meet in the period up to the establishment of the Shadow Council projected to be in May 2020. The Committee will meet to agree matters within their Terms of Reference and may establish working groups in order to assist with their business. Any meeting arrangements for established working groups fall outside the criteria of this report.

### 3. REPORT

It is currently proposed that the Committee meet every two-months, however special or extraordinary meetings may be called subject to the appropriate statutory notice being given.

It is being proposed that Committee meetings commence at 6:30 pm.

The venue for meetings would rotate among districts within North Northamptonshire, utilising the respective Council Chambers.

Administrative support for the Joint Committee will be provided by Kettering BC officers under the direction of the lead Monitoring Officer. Kettering BC will host the Committee's papers on its website; other constituent local authority's websites will provide a link to the Kettering BC site.

Administrative support for any working groups established will be provided by constituent local authorities.

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#### 4. **FINANCIAL IMPLICATIONS**

Administrative support for the Committee's meetings will be provided by officers from the constituent local authorities.

#### 5. **LEGAL IMPLICATIONS**

Section 101(5) of the Local Government Act 1972 enables a local authority to enter into arrangements for the discharge of its functions jointly with, or by, one or more authority. Under Section 102 of the 1972 Act, local authorities are empowered to appoint joint committees to discharge functions of the council's or to advise the councils.

#### 6. **RECOMMENDATION**

- i) **To approve the schedule of meetings for the North Northamptonshire Joint Committee as detailed in Appendix 1.**

Background Papers:

None



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### Appendix 1 – Schedule of Meetings

<b>Committee Date</b>	<b>Start Time</b>	<b>Venue</b>
Monday 24 <sup>th</sup> June 2019	6:30 pm	Kettering Borough Council
Monday 16 <sup>th</sup> September 2019	6:30 pm	Borough Council of Wellingborough
Tuesday 12 <sup>th</sup> November 2019	6:30 pm	East Northamptonshire Council
Thursday 16 <sup>th</sup> January 2020	6:30 pm	Corby Borough Council
Tuesday 17 <sup>th</sup> March 2020	6:30 pm	Kettering Borough Council

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