

A G E N D A

NORTH NORTHAMPTONSHIRE JOINT COMMITTEE

Date: Thursday, 5th March 2020
Time: 6.30 pm
Location: Council Chamber
Kettering Borough Council
Bowling Green Road
Kettering
NN15 7QX

Committee Administrator: Anne Ireson
☎ 01536 534398
✉ democracy@kettering.gov.uk

- | Item No | Subject | |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| 1. | Apologies | |
| 2. | Minutes of the meeting of the North Northamptonshire Joint Committee held on 10 th February 2020 to be approved and signed by the Chair. | |
| 3. | Declarations of Interest | |
| | - <i>Disclosable Pecuniary Interests</i> | |
| | - <i>Personal Interests</i> | |
| 4. | Matters of urgency arising since the summons and agenda were issued, and communicated to the Chair, which require the Joint Committee's determination | |
| 5. | Chair to inform members of requests received from the public to address the Joint Committee in accordance with Standing Orders. | |
| 6. | Future Northants Programme Update – Presentation | <i>Paul Helsby</i> |
| 7. | Future Northants Finance Monitoring Report | <i>Audra Statham</i> |
| 8. | Risk Management Strategy | <i>Paul Helsby</i> |
| 9. | Appointment of Implementation Team | <i>Paul Goult</i> |
| 10. | Governance Working Group – Interim Report | <i>Cllr Ekins/Paul Goult</i> |
| 11. | Shadow Council – Code of Conduct | <i>Paul Goult</i> |
| 12. | Location for Shadow Council Meetings | <i>George Candler</i> |
| 13. | Close of Meeting | |

Agenda issued 26th February 2020

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 Richard Gell (East Northamptonshire); Councillors Lloyd Bunday, Lesley Thurland and Clark Mitchell (Kettering); Councillors Tim Allebone, Barry Graves and Elayne Francis (Wellingborough): tbc (Northamptonshire County Council)

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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.

Public Participation in Meetings of the North Northamptonshire Joint Committee

If you want to ask a question or address the Committee on any item on the agenda, you must write to or email the Committee Administrator, using the email address given on the front page of this agenda, at least two clear working days prior to the day of the meeting. If you want to ask a question, then your full question must be submitted so that a response can be provided at the meeting. If a substantive response cannot be given, then a written response will be provided instead. You will be allowed up to three minutes to either ask your question or address the Committee.

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NORTH NORTHAMPTONSHIRE JOINT COMMITTEE

**Meeting held on 10th February 2020
at East Northamptonshire Council**

Present: Councillor Martin Griffiths (Borough Council of Wellingborough) – Chair
Councillor Tom Beattie (Corby Borough Council) – Vice Chair
Councillor Jonathan Ekins (Northamptonshire County Council)
Councillor John Farrar (East Northamptonshire Council)
Councillor Ian Jelley (Kettering Borough Council)
Councillor David Jenney (East Northamptonshire Council)
Councillor Andrew Mercer (East Northamptonshire Council)
Councillor Tom Partridge-Underwood (Borough Council of Wellingborough)
Councillor Victoria Perry (Northamptonshire County Council)
Councillor Russell Roberts (Kettering Borough Council)
Councillor Andrew Scarborough (Borough Council of Wellingborough)
Councillor Mick Scrimshaw (Kettering Borough Council)
Councillor Jason Smithers (Northamptonshire County Council)
Councillor Kevin Watt (Corby Borough Council)

Also Present: Theresa Grant (Chief Executive, Northamptonshire County Council & Future Northants Strategic Delivery Director)
Paul Gault (Monitoring Officer, Corby Borough Council)
Paul Helsby (Programme Director)
Anne Ireson (Committee Administrator)

NNJC.38 APOLOGIES

Apologies for absence were received from Councillors Steven North of East Northamptonshire Council and Jean Addison of Corby Borough Council.

It was noted that Councillor Andy Mercer was acting as a substitute for Councillor North.

NNJC.39 MINUTES

RESOLVED that the minutes of the meeting held on 16th January 2020 be approved and signed by the Chair.

NNJC.40 DECLARATIONS OF INTEREST

None.

NNJC.41 MATTERS OF URGENCY

None.

NNJC.42 PUBLIC SPEAKERS

None.

NNJC.43 STRUCTURAL CHANGES ORDER – UPDATE

It was reported that the Order had been now been considered by the Second Delegated Legislation Committee of the House of Commons. It was anticipated that the Order would now be considered by the House of Lords on 11th February, after which the Order would be made and the Secretary of State would make a statement.

A link to view the full proceedings would be sent to members of the Committee and would also be made available on the Future Northants North website.

NNJC.44 FUTURE NORTHANTS PROGRAMME UPDATE

Members received a presentation which gave an update on the Programme in relation to the following projects:-

- Programme Director's Update
- Programme Status
- Design Phase
- Recruitment to Statutory Roles
- Unitary Working with Trade Unions Agreement
- Communications and Engagement
- Change Champions

Members felt that it would be vital to engage with elected members and members of the public. It was noted that tours of the Engine Room had been offered to all elected members in Northamptonshire, the first of which had taken place and received positive feedback.

During discussion, it was stressed that meaningful engagement with trade unions representing staff employed by Councils in Northamptonshire was essential. Additionally, trade union representatives attending meetings must ensure that feedback is given to other representatives and members of trade unions. It was noted that there was a collective willingness for meaningful engagement on both

sides, with a good pattern of feedback through both the unions and change champions.

Officers were thanked for the presentation.

NNJC.45 FUTURE NORTHANTS FINANCE MONITORING REPORT

A report was submitted which provided a summary of the forecast outturn position for the Future Northants Programme.

Explanations for variances in Programme Team costs and NCC Transformation were outlined, and it was noted that the current position, which was subject to constant revision, projected a £29k underspend overall, to be confirmed by the County Council cabinet at its next meeting.

The Business Rates Retention pilots had delivered as per the budget, but this was expected to change going forward.

During debate, clarification was sought on the following matters:-

- Business Rates Retention Pilots - income and benefits
- The meaning of savings (whether cash, efficiency or extra income or benefits)
- The fragility/volatility of NCC services, especially Children's Services, and how this could cause problems for the new unitary authorities if savings were not properly balanced against the projected overspend
- The percentage of Adult Social Care savings against the overall budget and how the unitary authorities would deliver those savings

Members noted that the £29k underspend was expected to improve as the Council moved towards the end of the financial year. £36m of benefits in respect of Business Rates Retention pilots was not defined as income from business rates. The benefits represented the retention of money received through growth from business rates, which was then invested in projects to produce the savings. All savings quoted were cash savings which reduced costs.

An overspend in Children's Services, in the current financial year had been predicted for many months and mitigations planned. The 2020/21 budget has taken into account under-achievements and re-baselined them, which means that the 2020/21 budget will not be fragile. Any historic financial challenges will not carry over to the following year. An additional £12-13m has been planned to invest in children's services.

Adult Social Care savings represented around 10% of the overall budget. These savings would have been delivered independently of the unitary proposals, and some benefit will be seen in the 2020/21 budget. Adult Social Care in Northamptonshire had been assessed as a high performing service, nationally in the top quartile across many areas of the service.

In conclusion to the debate, officers were thanked for their report.

RESOLVED that the forecast outturn position for the Future Northants Programme be noted.

NNJC.46 **FUTURE NORTHANTS ENGAGEMENT STRATEGIES (INTERNAL AND EXTERNAL)**

Members received a report which outlined the internal engagement strategy and external engagement strategy for the Future Northants Programme.

Members noted that, since the agenda had been published, extra resources in the County Council consultation team had been used to support engagement work. A toolkit was being created to help deliver engagement activity and identify where a statutory duty to engage existed, for example around Council Tax consultation. Work was already being undertaken with some external partners, such as Voluntary Impact Northamptonshire (VIN), Northamptonshire County Association of Local Councils (NCALC) and the Health Services Network (HSN). Town and Parish Councillors had also been invited to attend engine room tours.

During debate, it was stressed that young people should also be included in the list of external stakeholders, and it was confirmed that engagement would take place through schools and youth groups.

RESOLVED that the internal and external engagement strategies be noted.

NNJC.47 **GOVERNANCE WORKING GROUP REPORT**

A report from the Chair of the Governance Working Group was received regarding progress made to date on the compilation of a draft Constitution for the North Northamptonshire Shadow Council.

It was noted that the draft Consultation would be considered for approval by the Shadow Council at its first meeting in May 2020.

Two draft documents were submitted for consideration, namely:-

- Access to Information
- Meeting Procedure Rules

Members noted that the following documents would be submitted for consideration at the next meeting of the Governance Working Group:-

- Articles of the Constitution
- Code of Conduct for Members
- Member Officer Protocol

It was proposed by Councillor Tom Beattie, and seconded by Councillor Tom Partridge-Underwood that the first sentence of Appendix B (Meeting Procedure Rules) be amended as follows:-

“1.2 “Meetings of the full council and all main committee meetings be held in the evening and begin at 7.00pm.”

The amendment was debated, with members of the Committee making the following points:-

- Evening meetings would encourage better representation and encourage as many people as possible sit on working groups and committees
- 7.00 pm meetings are reasonable, provided they do not finish too late
- Timing of meetings is an essential part of the Shadow Council, which will set the schedule of meetings for the Council in 2021
- Timing of meetings should be re-considered by the Working Group, if necessary
- 7.00 pm meetings were not family-friendly and members’ allowances compensated for the need to take time off from work during the daytime
- It was important for prospective candidates to have prior knowledge of meeting times
- Councillor workloads were less than was the case 10-15 years ago
- Some meetings would need to be during the daytime (for example working groups)
- Travel to meeting venues could be difficult, especially if using public transport

Following debate, a vote was taken on the proposed amendment.

(For the amendment: 10; Against: 2; Not Voting 1)

The amendment was therefore carried.

RESOLVED that:-

- (i) the appendices be approved for inclusion in the draft Constitution subject to Appendix B (Meeting Procedure Rules) being amended as follows:-

“Meetings of the Full Council and all main committee meetings normally be held in the evening and begin at 7.00pm.”

- (ii) progress made by the Governance Working Group be noted, and a further update on the draft Shadow Council Constitution be received at the Joint Committee meeting to be held on 5th March 2020.

The Governance Working Group was congratulated for its work on the draft Constitution.

In concluding the meeting, the Chairman thanked the Committee for its contributions and commended the work of officers and the Programme Team. He welcomed the involvement of change champions as work continued toward the elections to elect 78 shadow councillors. The Chairman also commended the cross-party joint working across Councils in North Northamptonshire.

(The meeting started at 6.30 pm and ended at 7.50 pm)

Signed
Chair

AI-kbc



FUTURE NORTHANTS

North Northants Joint Committee

March 2020 Programme Update

Programme Directors Update

- Programme RAG Status Overview
- Design Phase Dashboard
- Programme Highlights and Corporate Systems
- Statutory Recruitment Update
- Working with Trade Unions
- Comms and Engagement
- Change Management



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Programme Directors Update

Summary Highlight Report Period Feb-20

Finance	Overall Status	Comments
Programme Running Costs	G	
Benefits Realisation	G	
Disaggregation/Aggregation	G	On track but work underway to align the deliverables to the milestones in the programme
Financial Modelling	G	

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Day One Preparations	Overall Status	Comments
Scoping activity	A	Not all workstreams completed and Programme Manager Vacancy

May Preparations	Overall Status	Comments
Management of activities leading to 1 st Shadow Councils meetings	G	On track but plan not fully completed

Key Points To Note

- Complexity of work
- Intensity of activity
- Any slippage will be difficult to pull back
- Planning provisional days and putting holds on time in March to complete work feeding into the straw person development

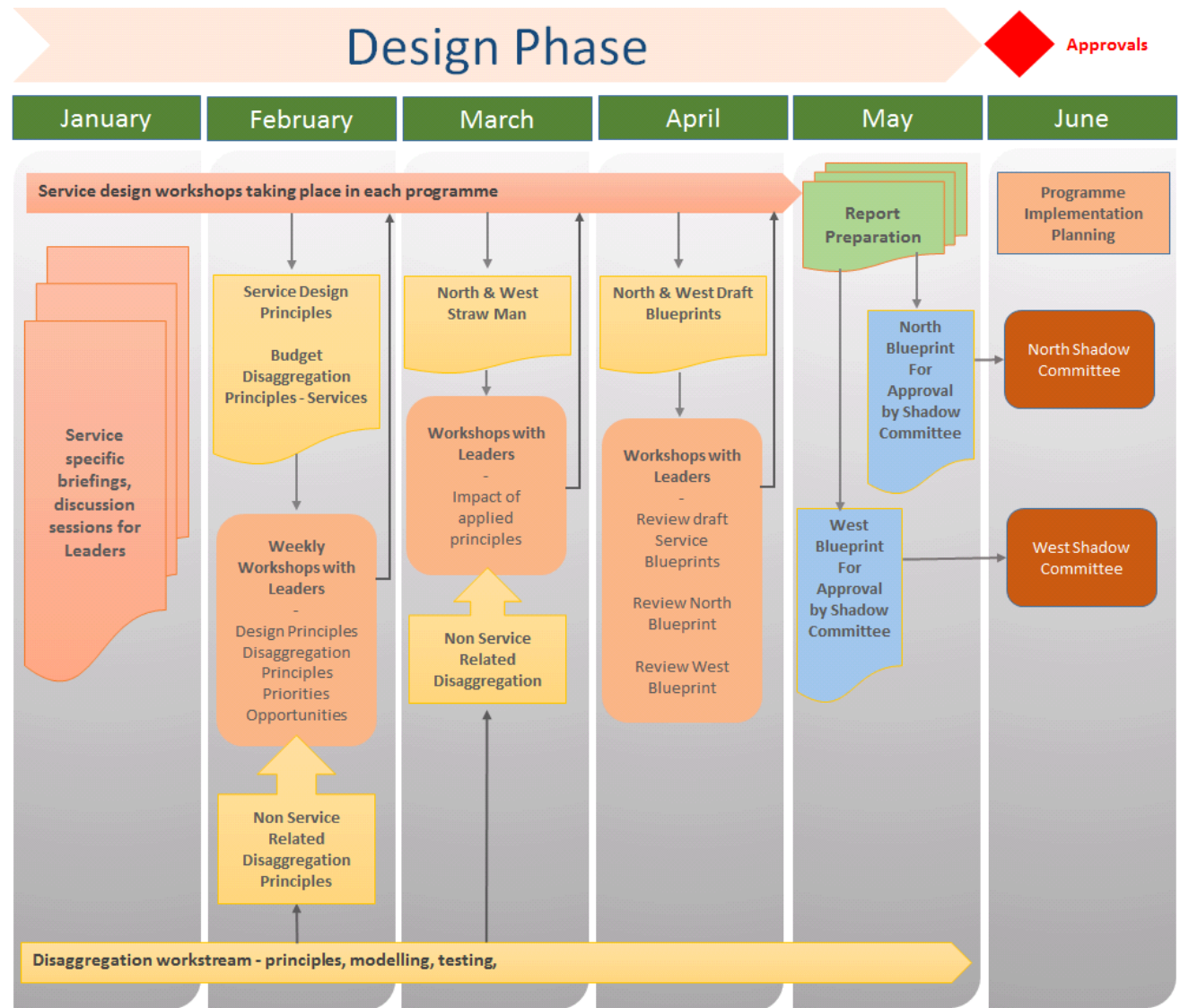


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Design Phase

- Design Principles Workshops with Leaders and SMEs nearing completion
- March we start putting together the straw persons
- Engagement with Joint Committee Members in April

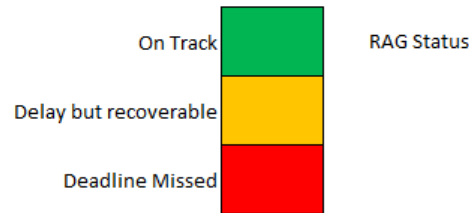


Design Phase Dashboard

- All workshops in January completed
- Design Principles workshops scheduled and underway in February with Leaders
- March Straw person workshops scheduled but risk status cannot be assessed until outputs of February workshops are confirmed.

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	2019	2020					
	Dec	Jan	Feb	Mar	Apr	May	Jun
Programme Status Report - Design Phase	Preparation	Service Briefings	Design Workshops	Straw Man	Draft Blue Prints	Reports	Approvals
Adult Social Care							
Children's Social Care and Education							
Growth and Infrastructure and Public estates							
Revs and Bens	Completed	Completed	Underway				
Communities and Leisure							
Housing							
Corporate Services and Customer and Digital							
Regulatory and Environmental Services							



Highlights

- Engine room functioning and feedback good.
- Completion of Leader workshops in January
- Design Principle Workshops nearing completion
- Benefits realisation workshop
- Gateway review underway
- Critical Friend Review- LGA
- Developing a peer review with LGA for October
- ERP System
- Market stall sessions nearing completion

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Corporate Systems

- Going out to competitively procure two Committee Management Systems (CMS)
- Enterprise Resource Planning (ERP) System – Independent review completed preferred option now in planning
- Set up a Technical Design Authority to oversee Systems Architecture and Transition of legacy systems through to Vesting Day



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Recruitment to Statutory Roles

Interim Recruitment - Statutory Roles (Head of Paid Service, Monitoring Officer, s.151 Officer)

- ✓ Meeting has taken place with North Recruitment Working Group, 14 February 2020, to discuss timeline for interim process and develop interview questions and proposed presentation topics
- ✓ Second meeting with to be scheduled with North Recruitment Working Group in early March to finalise materials for interim recruitment process

Permanent Recruitment update – Statutory Roles (Head of Paid Service, Monitoring Officer, s.151 Officer, DCS and DASS)

- ✓ Executive Search agency submissions received by 14 February 2020
- ✓ Successful tender award to be confirmed w/c 24 February
- ✓ Meeting has taken place with the North Recruitment Working Group, 14 February 2020 to:
 - ✓ to look at draft role profile for permanent Head of Paid Service Role
 - ✓ Discuss benchmarking / market rates for permanent statutory roles
 - ✓ High level interview question areas have been explored



Unitary Working With Trade Unions Agreement

- ✓ Working with Trade Unions Agreement amended to reflect feedback from 16 January meeting.
 - ✓ Discussion with the Design Board regarding TU's additional request for 2.5 days additional facility time per trade union – outcome of the design board discussion will be shared with the trade unions at the meeting, 27 February 2020.
- Diary appointments for both Trade Union Forums have been scheduled and a template to share a summary of work to date across all workstreams with the trade unions is being drafted.



Communications and engagement

- Comms to all staff about the approval of the SCO
 - Straw person video to explain how it works and its importance in helping to shape the new unitary councils - <https://youtu.be/BJYDagExil8>
 - FAQs updated on the two websites
 - Added 'Opportunities' section to website
- Promoting Engine Room Tours to all Councillors including Town and Parish Council Tax insert on unitary programme
- Activated social media platforms and started populating

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www.facebook.com/futurenorthantswest

www.facebook.com/futurenorthantsnorth

<https://twitter.com/futureNwest>

<https://twitter.com/futureNnorth>



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Communications and engagement

- Planning Engagement Sessions for Corporate Programme as a pilot for all programmes to follow across all councils.
- Plan to be developed for April implementation based on above pilot
- Developing a jargon buster.

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Change Management

- Engine Room tours and feedback very positive
- Change readiness assessments undertaken across Corporate Services Programme (3 Feb onwards)
- Corporate Service Programme change approach provided to Corporate Board for feedback (28 Jan)



- Facilitating change champion involvement in Office 365 customer journey mapping throughout Feb into March

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Member Engine Room tours scheduled for 10/28 Feb and 4 Mar (including 3 evening tours)

- Change champion meetings scheduled for 24 Feb (Northampton) and 26 Feb (Corby)



Elected Member's Engine Room Tours

Date	Availability	Booked	Attended	No-shows
Monday 10th February	40	9	6	3
Friday 28th February	50	9		
Wednesday 4th March	80	8		

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	Number (5 councillors are dual-hatted)
Derby	2
Daventry	1
East Northants	4
Kettering	2
Northampton	3
South Northants	1
Wellingborough	9
County	5
Town and Parish	1
Total	28

Early feedback includes:

- "Feeling very positive now that I had a great explanation of the plans"
- "Excellent presentation of various elements of transformation and how they fit in"
- "Good to see all the work done and to be reassured that potential issues are being identified and considered"
- "A really interesting and informative tour"



Change champion snapshot

Borough Council of Wellingborough	25
Corby Borough Council	21
Daventry District Council	24
East Northamptonshire Council	17
Kettering Borough Council	47
Northampton Borough Council	16
Northamptonshire County Council	96
South Northamptonshire Council	28
Total	274

Next meetings:

- 24 Feb hosted by NBC
- 26 Feb hosted by CBC

Focus:

- what's coming up
- who makes decisions
- purpose of enabler roles and an HR overview

Information correct as of 6 February 2020



Risk Management Strategy

- 1 Introduction to the Programme Approach to Risk Management
- 2.5 Future Northants programme appetite to risk
- 2.7 Risk Management Roles and Responsibilities
- 2.16 Difference between risks and issues
- 2.17 Explanation of likelihood and impact
- 2.22 Risk escalation (e.g. if each programme identifies the same programme risk then we should escalate it to Enterprise level)
- 3 Behaviours (incumbent on us all to take an interest, play our part and manage risks and issues effectively).



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FUTURE NORTHANTS GOVERNANCE

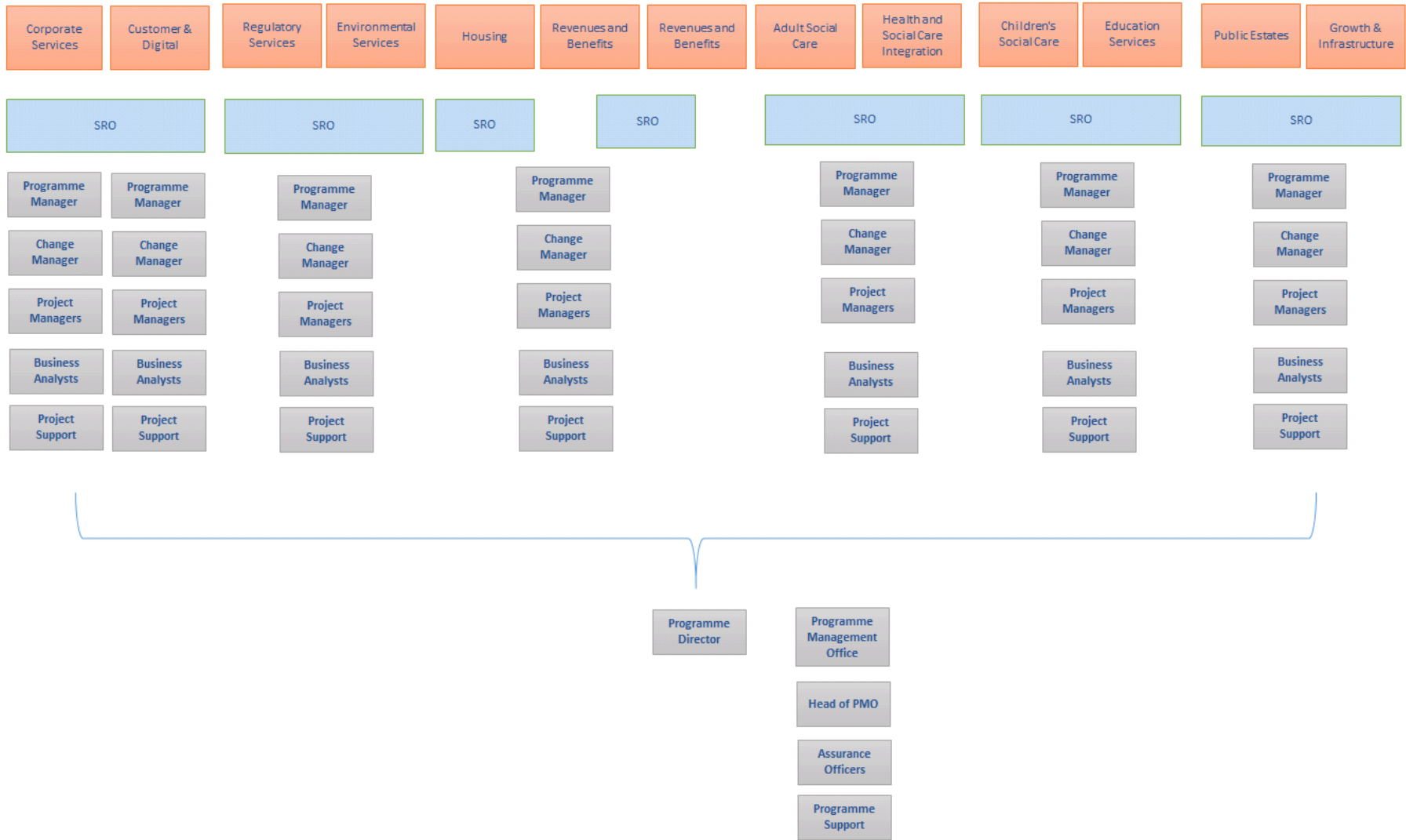


1. Programme Boards with allocated Senior Responsible Officers

Portfolios – Operational Boards In Place for each Portfolio



2. Future Northants Programme Delivery Structure February 2020



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Report Originator	Audra Statham – Programme Team Finance Enabler - Chief Finance Officer Daventry District Council	<i>Fwd Plan Ref No:</i> N/A	
Wards Affected	ALL	5 th March 2020	
Title	Future Northants Finance Monitoring Report		

1. PURPOSE OF REPORT

1.1 The purpose of this report is to provide a summary of the forecast outturn position of the Future Northants Programme.

2. BACKGROUND

2.1 At the meeting of the 16th January 2020, this committee were presented with a report that set out the Future Northants Programme baseline financial position, as summarised below.

Estimated Total Investment	Forecast Annual Budget Savings
£43.5m	£85.9m

2.2 The investment would be funded from Business Rates Retention Pilot monies, contributions from each of the eight councils in Northamptonshire and Northamptonshire County Council transformation budgets.

2.3 The investment is anticipated to realise significant benefits for the residents of the North Northamptonshire. The benefits expected to arise will be financial through being more efficient and non-financial through better management of service demand and improvements to service levels.

2.4 This report provides an update on the outturn position, compared to the baseline, for the Future Northants Programme.

2.5 It should be noted that the investment of £43.5m does not include any update on budget proposals for transformation during 2020/21 from any of the eight authorities. Once the 2020/21 budgets have been finalised the position will be updated and reported back to this committee.

3. REPORT

3.1 The investment and benefits by workstream are set out in **Appendix 2**.

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3.2 The summary outturn position is shown below:

	Total Budget £'000	Forecast £'000	Variance £'000
Investment Costs			
Programme Team	8,183	6,994	-1,189
Business Rates Retention Pilot	15,050	15,050	0
NCC Transformation	2,952	2,273	-679
Other Programme Costs	17,265	17,265	0
Total Investment	43,450	41,582	-1,868

Benefits			
Business Rates Retention Pilots	36,619	36,619	0
NCC Transformation	41,415	33,281	8,134
LGR	7,900	7,900	0
Total Benefits	85,934	77,800	8,134

3.3 Explanations for variances:

Programme Team (£1,189k favourable variance)

Compared to the baseline position not all posts were filled from the assumed start day in September 2019. Whilst it is currently showing a favourable position, due to vacancies, it is inevitable that more staff will be needed later on as the level of work has not diminished and will still need completing. It is also certain that when the eventual splits of the North and West workstreams happen that the programme team requirements will need reviewing.

NCC Transformation (£679k favourable variance on investment - £8,134k adverse on Benefits)

It has been widely reported to NCC Cabinet, the latest being 11th February 2020, the position on both the investment and savings forecast outturn position producing the above variances. Please see Appendix 1 for an extract from that report explaining the variances in full.

3.4 It is important to note that the variance on Benefits of £8,134k has been mitigated with savings and additional income across all services in NCC to produce their current overall projected outturn position of £29k underspend, as confirmed at their February Cabinet meeting. The £8,134K has been robustly challenged and any savings that are not achievable have been built back into the 2020/21 base budget for NCC, with a corresponding host of savings to

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mitigate that position. The new savings proposals are approximately £23m for 20/21. These proposals are all part of the current budget setting cycle and will be confirmed in February 2020.

- 3.5 The Future Northants Programme have come to the end of the discovery phase and are now entering the design phase. Much of the programme budget is forecast in line with the baseline budget set. As the design phase matures the proposed investment and benefits expected will be robustly challenged, in line with the governance arrangements set out in the North Northants Joint Committee report on 16th January 2020. The forecast outturn position will be reported to; the Design Board and Leaders Oversight Board on a monthly basis and each North and West Joint Committee as they are scheduled.

4. FINANCIAL IMPLICATIONS

- 4.1 The report is financial in nature and clearly sets out the financial implications.
- 4.2 There are no direct human resource implications arising from the report. However, the Future Northants Programme budget does include monies for staffing to deliver the programme.
- 4.3 Risk management is a core element of the Future Northants programme. Each of the programme portfolios and work streams have risk registers embedded within them in line with established project management methodologies. These risk registers are reviewed at each portfolio board meeting. Risks are also reported by exception to Design Board and Leaders Oversight Board.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from the report.

6. Conclusion

- 6.1 Monitoring of the Future Northants Programme budget is an on-going process and will be reported to the Joint Committee on a regular basis. The budget setting cycle for each of the eight Northamptonshire authorities will have concluded by the time this committee meets and it is the intention to bring a new baseline budget position for 20/21 to the next Joint Committee meeting.

7. RECOMMENDATION

It is recommended that the NNJC:

- I) Note the forecast outturn position for the Future Northants Programme.

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Appendix 1

Table Five: Transformation Projects 2019-20

Transformation Projects 2019-20	Original Estimate 2019/20 £000	Revised Estimate Spend 2019/20 £000	Variance on Spend 2019/20 £000	Comment on Variance	Planned Saving 2019/20 £000	Revised Planned Saving 2019/20 £000	Variance on Planned Savings 2019/20 £000	Comment on Variance
Agency Staff Conversion: Reduce the number of agency staff in social work teams through enabling their transfer into the Council's staffing establishment	293	32	261	There have been four successful conversions in 2019-20 to date. Future uptake is currently expected to be limited at this stage, pending the success of a revised campaign.	-1,624	-77	1,547	Current forecasts are based on the part year effect of the 4 successful conversions that have occurred so far in 2019-20. The full year base budget savings going forwards from this one off investment total £100k. Assumptions have been made that there will be limited further conversions until a revised campaign is developed, at which point assumptions will be reviewed.
Renegotiation of Contract: Appointment of legal advisors who will deliver the renegotiation of the Shaw PFI contract - savings to accrue from 2020-21 onwards	168	168	0		0	0	0	
Local Government Reorganisation: Costs associated with the proposed local government reorganisation in Northamptonshire	950	0	950	This represents the County Council's 2019-20 contribution to the costs of the LGR Programme.	0	0	0	Savings will be made as part of the Local Government Reorganisation.
Estimated voluntary redundancy costs associated with reducing the size of the workforce	1,000	800	200	Revised estimate of final position. Will be revised when final confirmation is received.	-1,460	-662	798	Revised estimate of final position. Full year effect included in MTFP as savings are dependent on final leave dates.
Annual Cost of the Future Northants Programme, as per Strategy	2,598	2,209	389	Revised estimate based on latest forecast of staffing costs.	0	0	0	Savings will be made as part of the Local Government Reorganisation.
A review of the pricing and delivery of Learning Disability services, changing the way we buy care services for adults with learning disabilities from private providers, to meet the increasing demand in the most cost-effective way. This will ensure we have more certainty of our cost and can consider better ways of providing improved outcomes.	723	723	0		-2,800	-2,800	0	

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Committed Cost of the Unitary Programme - the costs associated with the employment of project colleagues, engaged in the set-up of the Future Northants Programme	298	298	0		0	0	0	Savings will be made as part of the Local Government Reorganisation.
Libraries Transformation Programme - delivering provision of a fully comprehensive and efficient service	272	174	98	Reassessment of staff time input to deliver project. Also, capitalisation of IT and decommissioning costs.	-381	-315	66	Due to delayed implementation, an element of the property related savings will not be realised in 2019-20 as expected.
Transformation Roles in Children's service - supplements the transformation resources already in place through the council wide Transformation Programme to provide a coordinated approach and focus touch points within the CFN leadership team that have complete oversight and accountability for driving transformation and savings delivery across the Directorate.	180	60	120	Slippage in anticipated recruitment to posts.	0	0	0	Savings will be made as part of the overall Council wide transformation programme within CFN.
Single handed project - Reducing the level of resource associated with home care by using specialist equipment and training to reduce existing care or reduce care packages.	260	260	0		-1,000	-1,000	0	
Canary Pilot - Installing monitoring systems to enable long term care package savings.	53	53	0		-400	-436	-36	Current forecast suggests over delivery of target in 2019-20 due to success earlier in the year
TOM Design and diagnostics – The initial diagnostic from Newton Europe identified the savings areas and ranges at the start of October. Additional work was required ahead of 2020-21 budget setting to complete the full validation and baselining for all the proposed savings ahead of robustness sessions and tender process. The work undertaken will provide certainty of how and where the saving could be delivered and inform the configuration of the new eclipse system during so that the required metrics and outputs could be developed. An additional diagnostic was also required across the Adults and Childrens combined pathway for disability as this was an area of high and rising cost pressure.	0	435	-435	The work will ensure that the service has: - A clear delivery and programme plan for the savings and improvement, - Clarity of the service resource and skills needed, - An agreed scope and set of workstreams priorities, - That there are no savings duplications - A view on the future and potential for an all age disability service and - a robust specification for the tender and supporting data and outputs for bidders	0	0	0	Savings will be made in 2020-21 as part of the Strengths Based Working proposal
Total:	6,795	5,212	1,583		-7,665	-5,290	2,375	

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Committee	Joint Committee	Item 7	Page 6 of 6
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15 2019-20 Savings Delivery Performance

15.1 The Council has a total savings requirement of £43.4m in 2019-20. Of this, £41.4m is within 2019-20 budget set in February 2019; £1.1m is other savings measures embedded in the brought forward base from 2018-19; and £0.5m in income proposals, as set out in the table below. The deliverability of these proposals is being monitored by each accountable service lead, budget manager and senior officers.

15.2 The Transformation Programme is divided into four work streams – Children’s, Adults, Place and Corporate. Each work stream has its own Programme Board led by the Senior Responsible Officer, which meet on a monthly basis throughout the year. The role of the Board is to provide robust governance and assurance by monitoring and managing programme progress, savings, impacts, risks, issues, interdependencies and benefits. This is to ensure that transformation and savings are delivered in line with corporate priorities, agreed savings targets and the Medium Term Financial Plan. Each programme Board report to the central Transformation Board, chaired by the Chief Executive.

15.3 The latest assessment on the deliverability of the £43.4m savings proposals is set out in the Table below, by work stream.

Table Seven: 2019-20 Savings Proposals

	Target Savings £000	Savings budgeted to be delivered at Period 12 £000	Variance currently forecast at Period 12 <i>Under/(Over)</i> delivery £000
Corporate Services	(1,578)	(1,505)	73
Children First Northamptonshire (CFN)	(10,296)	(4,086)	6,211
Place	(2,645)	(2,480)	165
Northamptonshire Adult Social Services (NASS)	(23,284)	(22,952)	332
Cross-cutting Programme	(3,220)	(1,866)	1,354
LGSS	(369)	(369)	0
Public Health & Wellbeing	(23)	(23)	0
Total, 2019-20 savings:	(41,415)	(33,281)	8,134

Future Northants Programme Summary

Programme/Workstream	LGR	Adult	Health &		Education	Public	Growth &		Revenues	Corporate	Customer	Regulatory	Environmental	Total Budget Theresa Grant £000	Actual	Variance
	Programme	Social Care	Social Care Integration	Childrens Social Care	Services	Estates	Infrastructure	Housing	& Benefits	Services	Contact	Services	Services			
	Paul Helsby £000	David Oliver £000	David Oliver £000	Liz Elliott £000	Liz Elliott £000	George Chandler £000	George Chandler £000	Norman Stronach £000	Graham Soulsby £000	Richard Ellis £000	Richard Ellis £000	Ian Vincent £000	Ian Vincent £000			
Investment Costs																
Programme Team	8,183	0	0	0	0	0	0	0	0	0	0	0	0	8,183	6,994	1,189
Business Rates Retention Pilot	450	2,350	0	2,000	0	0	250	0	0	4,350	5,650	0	0	15,050	15,050	0
NCC Transformation	1,275	1,204	0	473	0	0	0	0	0	0	0	0	0	2,952	2,273	679
Other Programme Costs	17,265	0	0	0	0	0	0	0	0	0	0	0	0	17,265	17,265	0
Total Investment	27,173	3,554	0	2,473	0	0	250	0	0	4,350	5,650	0	0	43,450	41,582	1,868
Benefits																
Business Rates Retention Pilots	0	24,459	0	6,100	0	0	60	0	0	3,000	3,000	0	0	36,619	36,619	0
NCC Transformation	3,220	23,284	23	10,296	0	0	2,645	0	0	1,947	0	0	0	41,415	33,281	8,134
LGR	7,900	0	0	0	0	0	0	0	0	0	0	0	0	7,900	7,900	0
Total Benefits	11,120	47,743	23	16,396	0	0	2,705	0	0	4,947	3,000	0	0	85,934	77,800	8,134

Future Northants Programme Investment

Programme/Workstream	LGR Programme	Adult Social Care	Health & Social Care Integration	Childrens Social Care	Education Services	Public Estates	Growth & Infrastructure	Housing	Revenues & Benefits	Corporate Services	Customer Contact	Regulatory Services	Environmental Services	Total Theresa Grant £000	Actual	Variance
	Paul Helsby £000	David Oliver £000	David Oliver £000	Liz Elliott £000	Liz Elliott £000	George Chandler £000	George Chandler £000	Norman Stronach £000	Graham Soulsby £000	Richard Ellis £000	Richard Ellis £000	Ian Vincent £000	Ian Vincent £000			
Programme Team																
LGR	5,585													5,585	4785	800
NCC	2,598													2,598	2209	389
Total	8,183	0	0	0	0	0	0	0	0	0	0	0	0	8,183	6,994	1,189
Business Rates Retention Pilot																
Rapid response team (BRR36)		1,200												1,200	1200	0
Adults TOM review (BRR09)		400												400	400	0
Adults Review task force team (BRR08)		400												400	400	0
Overnight carers scheme (BRR45)		350												350	350	0
Improving CFNs fostering programme (BRR04)					470									470	470	0
CFN workforce programme (BRR26)					735									735	735	0
CFN practice improvement programme (BRR046)					795									795	795	0
Shared Services redesign & consolidation (BRR20)										4,100				4,100	4,100	0
Customer & Digital Strategy (BRR18)											5,650			5,650	5,650	0
Contracts Review (BRR21)										250				250	250	0
Strategic Infrastructure Plan (BRR10)							250							250	250	0
Unallocated funds	450													450	450	0
	450	2,350	0	2,000	0	0	250	0	0	4,350	5,650	0	0	15,050	15,050	0
NCC Transformation																
Social Workers Agency Staff Conversion					293									293	32	261
Renegotiation of Shaw Care PFI Contract		168												168	168	0
Voluntary Redundancy Costs	1,000													1,000	800	200
Review of Pricing & Delivery of Learning Disability Services		723												723	723	0
Committed Cost to Unitary Programme	3													3	3	0
Libraries Transformation Programme	272													272	174	98
Transformation Roles in Childrens Services					180									180	60	120
Single Handed Project (Home Care through Specialist Equipment & Training)		260												260	260	0
Canary Pilot (Monitoring systems for long term care packages)		53												53	53	0
	1,275	1,204	0	473	0	0	0	0	0	0	0	0	0	2,952	2,273	679
Other Programme Costs																
Resource - backfill	2,000													2,000	2,000	0
Legal advice	400													400	400	0
Restructuring costs	7,900													7,900	7,900	0
Shadow statutory appointments	832													832	832	0
Shadow member appointments	360													360	360	0
Recruitment to senior appointments	160													160	160	0
Branding & signage	500													500	500	0
National pay and conditions	750													750	750	0
Programme delivery contingency	3,106													3,106	3,106	0
LGR pre submission costs (May-Aug 2018)	148													148	148	0
LGR pre submission costs (Sept 18 - Aug 19)	1,109													1,109	1,109	0
	17,265	0	0	0	0	0	0	0	0	0	0	0	0	17,265	17,265	0
Total	27,173	3,554	0	2,473	0	0	250	0	0	4,350	5,650	0	0	43,450	41,582	1,868
Memorandum - NCC Transformation (2019/20 budget only, excludes 2018/19)																
- NCC Transformation Team	2,598	0	0	0	0	0	0	0	0	0	0	0	0	2,598	2209	389
- NCC Transformation	1,275	1,204	0	473	0	0	0	0	0	0	0	0	0	2,952	2,273	679
	3,873	1,204	0	473	0	0	0	0	0	0	0	0	0	5,550	4482	1,068

(figures as per NCC Cabinet 14 January 2020)

Future Northants Programme Benefits

Programme/Workstream	LGR Programme	Adult Social Care	Health & Social Care Integration	Childrens Social Care	Education Services	Public Estates	Growth & Infrastructure	Housing	Revenues & Benefits	Corporate Services	Customer Contact	Regulatory Services	Environmental Services	Total Theresa Grant £000	Actual	Variance
	Paul Helsby £000	David Oliver £000	David Oliver £000	Liz Elliott £000	Liz Elliott £000	George Chandler £000	George Chandler £000	Norman Stronach £000	Graham Soulsby £000	Richard Ellis £000	Richard Ellis £000	Ian Vincent £000	Ian Vincent £000			
<u>Business Rates Retention Pilot</u>																
Rapid response team (BRR36)		8,833												8,833	8,833	0
Adults TOM review (BRR09)		14,000												14,000	14,000	0
Adults Review task force team (BRR08)		1,000												1,000	1,000	0
Overnight carers scheme (BRR45)		626												626	626	0
Improving CFNs fostering programme (BRR04)					2,300									2,300	2,300	0
CFN workforce programme (BRR26)					1,400									1,400	1,400	0
CFN practice improvement programme (BRR046)					2,400									2,400	2,400	0
Shared Services redesign & consolidation (BRR20)										2,500				2,500	2,500	0
Customer & Digital Strategy (BRR18)											3,000			3,000	3,000	0
Contracts Review (BRR21)										500				500	500	0
Strategic Infrastructure Plan (BRR10)							60							60	60	0
	0	24,459	0	6,100	0	0	60	0	0	3,000	3,000	0	0	36,619	36,619	0
<u>NCC Transformation</u>																
Planned Savings 2019/20	1,379	19,084												1,379	889	-490
			23											19,084	18,716	-368
				8,672										23	23	0
							2,645							8,672	4,009	-4,663
														2,645	2,480	-165
										1,947				1,947	1,874	-73
<u>Flexible Use of Capital Receipts (FUCR) Savings</u>																
Social Workers Agency Staff Conversion				1,624										1,624	77	-1,547
Voluntary Redundancy Costs	1,460													1,460	662	-798
Review of Pricing & Delivery of Learning Disability Services		2,800												2,800	2,800	0
Libraries Transformation Programme	381													381	315	-66
Single Handed Project (Home Care through Specialist Equipment & Training)		1,000												1,000	1,000	0
Canary Pilot (Monitoring systems for long term care packages)		400												400	436	36
	3,220	23,284	23	10,296	0	0	2,645	0	0	1,947	0	0	0	41,415	33,281	-8,134
<u>LGR Programme</u>																
PwC Aug 2018 Report:																
- FTE	6,600													6,600	6,600	0
- IT	0													0	0	0
- Property	800													800	800	0
- Democratic	500													500	500	0
	7,900	0	0	0	0	0	0	0	0	0	0	0	0	7,900	7,900	0
Total	11,120	47,743	23	16,396	0	0	2,705	0	0	4,947	3,000	0	0	85,934	77,800	-8,134

Notes:

- LGR Programme savings as identified by PwC in their report dated August 2018 adjusted for IT savings which are included in the Shared Service Redesign and Consolidation (BRR20) and Property savings of £3m included in Customer and Digital Strategy (BRR18).
- NCC Transformation benefits total £41.4m as per Cabinet report in January 2020
- NCC Transformation benefits split between flexible Use of Capital Receipts (FUCR) and other benefits.
- Further NCC Transformation benefits are anticipated when the Budget for 2020/21 is approved in February 2020.

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Committee	Joint Committee	Item 8	Page 1 of 2
Report Originator	Jeremy Rawling, Head of Future Northants Programme Management Office	<i>Fwd Plan Ref No:</i> N/A	
Wards Affected	All	5 th March 2020	
Title	Future Northants Programme Risk Management Strategy		

1. PURPOSE OF REPORT

To inform Members of the Risk Management Strategy for the Future Northants Programme

2. BACKGROUND

The Future Northants Programme follows a programme and project management methodology that includes a strategy for the effective analysis and management of risks to delivery of the programme.

This report details the Risk Management Strategy to the North Northamptonshire Joint Committee for their information. The strategy is attached as **Appendix 1**.

3. REPORT

It is recommended good practise to include a Risk Management Strategy in a programme of work of this size and complexity.

The strategy has been subject to discussion and input by both the Design Board and the Leaders' Oversight Board, and is submitted to the Joint Committee for endorsement.

4. FINANCIAL IMPLICATIONS

There are no resource implications of this strategy, which is being delivered within agreed resources. Adopting this strategy will remove the likelihood and impact of unmanaged risks materialising, which is a positive impact.

5. LEGAL IMPLICATIONS

There are no legal implications of this strategy.

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6. **CONCLUSION**

The Joint Committee is requested to endorse the strategy. The strategy will be kept under review.

7. **RECOMMENDATION**

- i) Accept and endorse the Future Northants Programme Risk Management Strategy.

Appendix :

Appendix 1 –Risk Management Strategy

Document Type	Information Report
Programme	Future Northants
Title	Risk Management Strategy for the Future Northants programme
Audience for this document	
North and West Northamptonshire Joint Committees	
Purpose of this document	
<p>The purpose of this strategy is to embed effective risk management in the Future Northants Programme by establishing a risk management framework that provides:</p> <ul style="list-style-type: none"> • an effective and efficient control environment • the overt allocation of accountability for risk management throughout the organisation • a well-established risk assessment process • performance monitoring of risk management activity • communications process to support risk management 	

Document Control

Version History (please see version control guidance)			
Date	Version	Author	Brief Comments on Changes
05.11.19	0.1	Pete Farrar	Initiation of document
13.11.19	0.2	Pete Farrar	Draft complete
06.02.20	0.3	Paul Helsby	Finalising report
13.02.20	0.4	Jeremy Rawling	Revisions after Design Board

Distribution (For Information, Review or Approval)	
Name	Resp⁽¹⁾
Paul Helsby	R

(1) Responsibility: I=Information, R=Review, A=Approval

Document Approval	
Date	Who
12.02.20	Design Board
19.02.20	Leaders' Oversight Board



1. Introduction and purpose

Definition and scope of risk management

1.1 Risk management involves understanding, analysing and addressing risk to

The overall process of managing risk can be divided into:

- *Risk analysis, or assessment, which includes the identification, estimation and evaluation of the risks*
- *Risk management that encompasses the planning, monitoring and controlling activities based on the information derived from risk analysis*

make sure organisations achieve their objectives. So it must be proportionate to the complexity and type of organisation involved.

The Institute of Risk Management (IRM)

1.2 This paper sets the Risk Management Strategy for the Future Northants programme.

2. Background

Aims and objectives

1.3 The risk management policy of Future Northants is to adopt best practices in the identification, evaluation, and cost-effective control of risks to ensure that they are eliminated or reduced to an acceptable level.

1.4 It is acknowledged that some risks will always exist and will never be eliminated. All stakeholders in the Future Northants programme must understand the nature of risk and accept responsibility for risks associated with their area of authority. The necessary support, assistance and commitment of senior management will be provided.

1.5 The risk management objectives of the Future Northants programme are to:

- integrate risk management into our culture



- manage risk in accordance with best practice
- consider safe & legal compliance as a minimum standard
- anticipate and respond to changing social, environmental and legislative requirements
- prevent injury and damage and reduce the cost of risk
- raise awareness of the need for risk management.

1.6 These objectives will be achieved by:

- embedding a risk management culture into the Future Northants programme organisational structure
- including risk management as an agenda item at Boards and meetings as appropriate
- continuing to demonstrate the application of risk management principles
- facilitating risk management workshops
- maintaining documented procedures for the control of risk and the provision of suitable information, training and supervision
- maintaining an appropriate incident reporting and recording system, with investigation procedures to establish cause and prevent recurrence
- maintaining effective communication
- monitoring arrangements on an ongoing basis

Definition of Future Northants risk appetite

1.7 Risk appetite is the amount of risk that the Future Northants programme is prepared to take in order to achieve its objectives. Defining the risk appetite provides the strategic framework for effective decision-making. The programme's risk appetite has not been defined.

1.8 In all circumstances the Future Northants programme will:

- Secure the legal integrity of its actions at all times
- Ensure safety is at the core of how we work



- Minimise exposure to risk
- Control risk wherever possible

Roles and responsibilities

1.9 The following groups and individuals have the following roles and responsibilities for risk management within the Future Northants programme.

Strategic Delivery Director

1.10 To be the clear figurehead for implementing the risk management process by making a clear and public personal commitment to making it work.

Design Board Members

1.11 To ensure the Future Northants programme manages risk effectively through the development of a comprehensive risk management strategy; to monitor delivery by receiving reports from PMO which in turn is solely enabled by information received from the Programmes.

Programme Director

1.12 To champion the cause of risk management within the Future Northants programme, particularly at the strategic level; to take personal responsibility for ensuring that the risk management objectives are achieved.

Head of PMO – Risk Function

1.13 The PMO Risk Function is responsible for establishing and maintaining risk management activities and to provide scrutiny via periodic reviews of both Enterprise and Programme risks. Ensuring adherence to the agreed standards and advising and facilitating where necessary for the escalation of risks.

Programme Manager



1.14 To ensure that risk is managed effectively in each Programme to the agreed risk management strategy and to ensure risks are presented at the relevant Programme boards. Undertake periodic reviews with the PMO Risk Function where risks can be scrutinised, challenged and if necessary escalated.

Methodology for identifying and assessing risk

Enterprise Risks

1.15 Risks identified as a potential threat to the investment portfolio (collection of Programmes) that may impact the delivery of the change the portfolio is set up to deliver. Enterprise Risks are the highest level of risk and are owned by colleagues at the highest level of the organisation.

Unitary Risks (North/West)

1.16 Risks identified as a potentially threat to the achievement of the agreed objectives of either or both North and West Unitary Authorities. If the mitigation of a risk is beyond the control or influence of the Programme Director then this risk will be considered for escalation as an Enterprise risk.

Programme Risks

1.17 Risks to delivery of a Programme. Risks assessed as being beyond the influence or control of the Programme Manager will be proposed for escalation.

Issue Assessment

1.18 For Issue logs, all Issues are 100% probable as they have already occurred, and any impact described is currently happening or has already happened. As such Issues are prioritised over Risks.

Risk Assessment

1.19 For risk logs, the following definitions are applied for the measurement of risk in respect of probability and consequences:



Probability

1.20 Probability is the likelihood that a risk could occur, the greater the likelihood the higher the score. Issues are certain and as such the probability will always be (5. Very High)

Estimation	Description
5: Very High (Probable/Certain)	60%-80% Probability
4: High	40%-60% Probability
3: Medium (Possible)	20%-40% Probability
2: Low	10%-20% Probability
1:Very Low (Remote)	Less than 10% Probability

Impact (Qualitative)

1.21 The impact is an estimate of the effect if a risk occurs, the most common ways a risk could impact a project are cost, time and reputation. This is based on a qualitative score (High/Medium/Low). This provides an indicative estimate of an impact and is the chosen approach to how we measure impact.

Estimation	Description
5: Very High	Severe Impact
4: High	Major Impact
3: Medium	Moderate Impact
2: Low	Slight Impact
1: Very Low	Minimal Impact

Impact (Quantitative)

1.22 Quantitative measurement of a risk impact requires more data and as such provides a greater degree of accuracy. Impact would also have separate distinct categories, usually cost and time.

1.23 Impacts that are quantitatively assessed enable forecasting. This enables a proactive rather than reactive approach.

Estimation	Description
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5: Very High	<ul style="list-style-type: none"> • Financial Impact – 5% + of agreed budget • Time Impact – 40 days +
4: High	<ul style="list-style-type: none"> • Financial Impact – 4% of agreed budget • Time Impact – 30 - 40 days
3: Medium	<ul style="list-style-type: none"> • Financial Impact – 3% of agreed budget • Time Impact – 20 - 30 days
2: Low	<ul style="list-style-type: none"> • Financial Impact – 2% of agreed budget • Time Impact – 10 - 20 days
1: Very Low	<ul style="list-style-type: none"> • Financial Impact – 1% of agreed budget • Time Impact – 1 - 10 days

Risk Escalation

1.24 When a risk is beyond the influence and/or control of its owner it should be considered for escalation to the tier above.

1.25 This will help ensure that the risk is being understood at the right level and owned by the person or board best equipped to resolve and/or mitigate it.

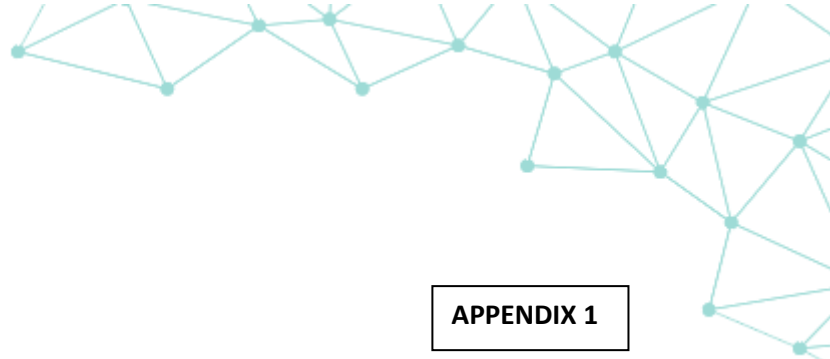
Risk Tier	Level of Approval
Enterprise	Leaders Oversight Board and Joint Committees
Unitary (North/West)	Design Board
Programme	SRO and Programme Boards

3. Risk Management Strategic Action Plan

Enabling Behaviours

1.26 Embedding risk management fully in any organisation will always be a journey rather than a destination. Nevertheless, addressing the behaviours that have been identified for improvement will help the Future Northants programme improve its practices significantly.

Management Activity	Enabling Behaviours
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APPENDIX 1

Leadership and Management	Leaders and senior managers take the lead to champion and apply risk management thoroughly across the organisation. They own and manage a register of key strategic risks and set the risk Appetite.
Strategy and Plans	Risk management principles are reflected in the Programme's strategies and plans. Risk framework is reviewed, developed, refined and communicated.
Escalation	Risk is well managed across Programme boundaries and escalation criteria is consistent.
Processes	Early warning indicators and lessons learned are reported. Critical projects supported through continuity plans
Risk Handling and Assurance	Clear evidence that risk management is being effective in all key areas. Capability-assessed within a formal assurance framework and against best practice standards.
Outcomes and Delivery	Clear evidence that risk management is supporting the delivery of key outcomes in all relevant areas.

Committee	Joint Committee	Item 9	Page 1 of 4
Report Originator	Paul Goult	<i>Fwd Plan Ref No:</i> N/A	
Wards Affected	ALL	5 th March 2020	
Title	Appointment of Implementation Team		

1. PURPOSE OF REPORT

For the Joint Committee to confirm the designation of the Programme Management Office (PMO) as “the Implementation Team” as required by the Northamptonshire (Structural Changes) Order 2020.

2. BACKGROUND

Under s.26 of the Structural Changes Order not later than 21 days of the Order coming into force, the Joint Committees established in Northamptonshire must form a team of officers (“the Implementation Team”) for the purposes of assisting –

- (a) The relevant Joint Committee in the discharge of its functions under this Part; and
- (b) If, after the dissolution of the relevant Joint Committee, the relevant shadow authority so requires, that shadow authority.

3. REPORT

As the Joint Committee is aware, prior to the Order coming into force sovereign councils across Northamptonshire entered into a voluntary agreement to establish a single team of officers to assist with preparations for the creation of two new unitary councils in Northamptonshire.

The following resolutions were agreed by sovereign councils in 2018 –

Subject to the submission of “Northamptonshire Local Government Reform Proposal” by any council, Council endorses the Chief Executive’s deployment of resources required to progress work on the next steps including those ahead of any decision by the Secretary of State, up to a maximum of £500,000 to be taken from existing budgets and/or reserves; and

Subject to the submission of the “Northamptonshire Local Government Reform Proposal” by any council, Council approves the interim governance structure of a Northamptonshire Central Programme Team overseeing a West Northamptonshire Project Board and a North Northamptonshire Project Board for the preparatory phase leading up to shadow authorities.

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The current Programme Management Office (PMO) was created with the agreement of sovereign councils arising from these resolutions. The Office under the direction of the Strategic Delivery Director (Theresa Grant) consists of seconded officers from the sovereign councils and staff directly recruited externally.

The current Office supports the work of the various work streams, as previously reported to the Joint Committee, for the creation and administration of the Shadow Council, arrangements for the continuation of service delivery on Vesting Day and initial preparations for the unitary councils. In addition, the Office seeks to support the principles of the Transformation Programme through the various work streams.

Appendix A to this report outlines diagrammatically the broad programme structure currently operating and which is recommended by this report. It is recognised that the Shadow Councils will ultimately determine the governance and service delivery models of the two new councils, however the Office has initiated important work to provide baseline data and early consideration of options for service delivery.

It is proposed that the Office and Implementation Plan continues in its current format until consideration by the new Shadow Councils once established. Section 26 of the Order requires that a team be designated as “the Implementation Team”. The role of the team will be to continue the work undertaken to date for the preparation ahead of the Shadow Council and the longer-term Implementation Plan for the unitary councils.

Section 26 (3) of the Order requires the lead officer of the Implementation Team to be the Chief Executive of Northamptonshire County Council (Theresa Grant).

Section 26 (4) of the Order also requires deputy lead officers to be appointed, one from the North sovereign councils and one from the West sovereign councils.

There is a duty placed on sovereign councils within the Order to co-operate in the establishment of the team and allow for the release of officers on their existing staffing establishment to assist in the team’s activities. All sovereign councils have directly through both financial and staffing resources contributed to the establishment of the team.

The team (PMO) has operated to date through the leadership of the Chief Executive of Northamptonshire County Council; this is continued under the Order.

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Graham Soulsby (Kettering BC Chief Executive) is operating as the deputy leader of the PMO for the North; and George Candler (Northampton BC Chief Executive) as the deputy leader of the PMO for the West.

The Implementation Team will support the respective Joint Committees until the Shadow Councils hold their inaugural full council meetings. The Joint Committees will be dissolved on the day following those inaugural meetings.

The new Shadow Councils will need to affirm that the Implementation Team continues through the Shadow Period in its current format, or may propose a revised structure. The team will be required to support the Shadow Council and continue to oversee preparations for Vesting Day on 1st April 2021 and the agreed implementation and transformation programme.

4. FINANCIAL IMPLICATIONS

Costs associated with the operation of the team are being met from the previously agreed contributions from the sovereign councils. The Joint Committee receives regular financial reports on the cost of the programme, including staffing costs.

During the budget setting process for 2020/21 recently considered by sovereign councils, a further £1.9m was requested by each council towards the further costs of transformation, transition and formation of the two new unitary councils. This was in addition to the £0.5m previously committed by each council.

The costs incurred and committed by the Joint Committee will be drawn from these funds.

5. LEGAL IMPLICATIONS

There is a legal requirement under the Order for the sovereign councils to form a joint committee, for the purposes of implementing specific duties and responsibilities ahead of the establishment of the Shadow Council. Sovereign councils established a joint committee in anticipation of the passing of the Order. The terms of reference of the joint committee were subsequently revised, and approved by sovereign councils, once the contents of the draft Order were clarified.

The Northamptonshire (Structural Changes) Order 2020 was made on 13th February 2020. The Order is now in force. There are obligations and responsibilities placed directly on the Joint Committee prior to its dissolution once the full Shadow Council meets in May 2020. These are detailed within the Order.

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6. CONCLUSION

The Order places responsibilities on the Joint Committee and sovereign councils.

Designation of the Implementation Team and of the deputy leader officers for the team ensures compliance with section 26 (1) and 26 (4) respectively.

The Shadow Councils, once established, will need under s.26 (1) (b) to affirm their continued support for “the Implementation Team” in its current or revised format.

It is being proposed that the existing Programme Management Office are designated as “the Implementation Team” and undertake the duties and responsibilities as directed by the Order and the Joint Committees.

7. RECOMMENDATION

- i) **That the Programme Management Office be designated as “the Implementation Team” for the purposes of the Northamptonshire (Structural Changes) Order 2020 with immediate effect;**
- ii) **That it be noted that the leader of the Implementation Team is the Chief Executive of Northamptonshire County Council (Theresa Grant);**
- iii) **That it be noted that Graham Soulsby (Kettering BC Chief Executive) is the deputy leader of the Implementation Team for the North, and that George Candler (Northampton BC Chief Executive) is the deputy leader of the Implementation Team for the West.**

Appendix A - Future Northants Programme Delivery Structure February 2020

Background Paper

The Northamptonshire (Structural Changes) Order 2020 SI 2020/156

FUTURE NORTHANTS GOVERNANCE



Strategic Delivery Director
Theresa Grant

Deputy West
George Candler

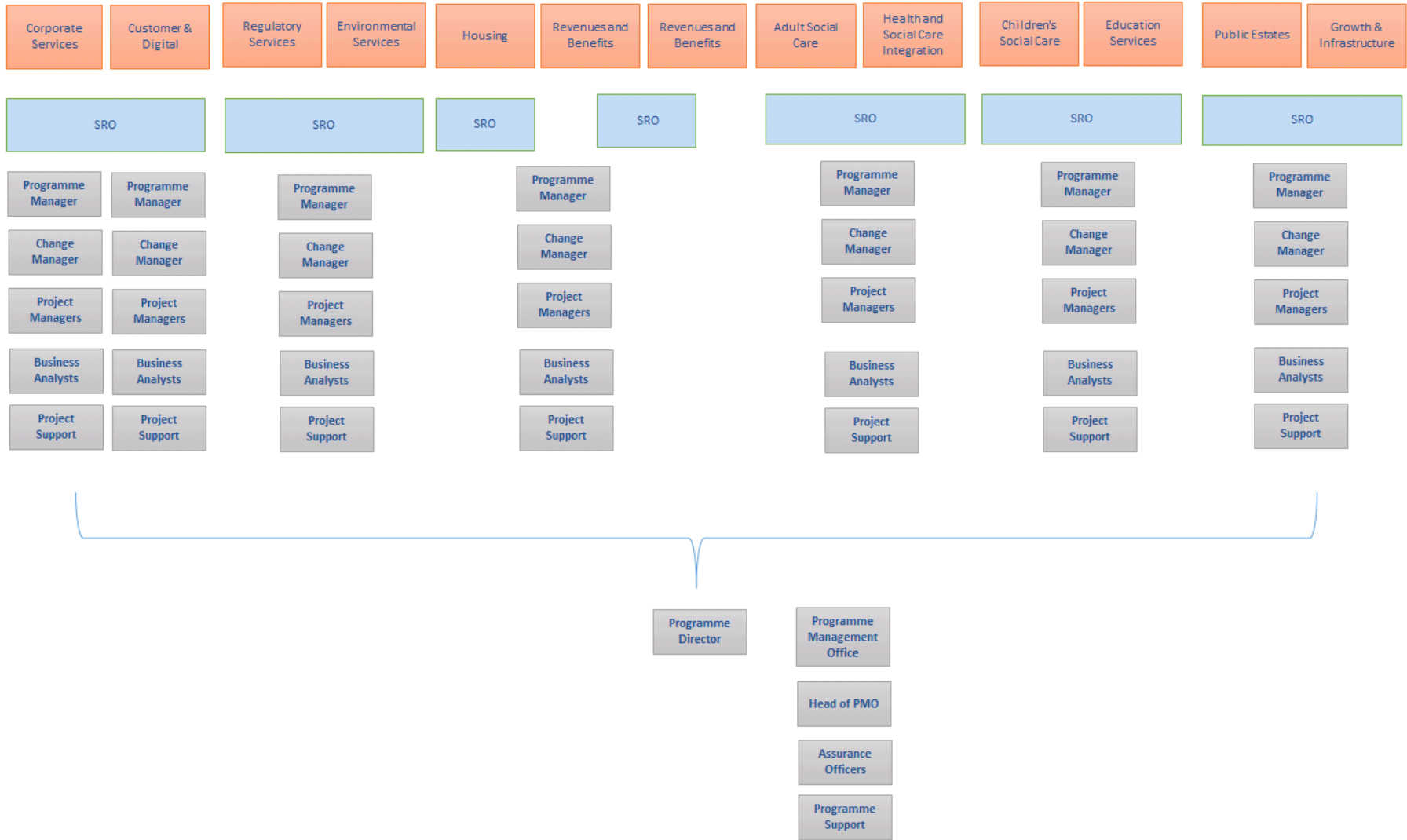
Deputy North
Graham Soulsby

1. Programme Boards with allocated Senior Responsible Officers

Portfolios – Operational Boards In Place for each Portfolio



2. Future Northants Programme Delivery Structure February 2020



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Committee	Joint Committee	Item 10	Page 1 of 3
Report Originator	Councillor Jonathan Ekins Paul Goult	<i>Fwd Plan Ref No:</i> N/A	
Wards Affected	ALL	5 th March 2020	
Title	Governance Working Group – Interim Report		

1. PURPOSE OF REPORT

For Members to receive an interim report from the Chair of the Governance Working Group regarding progress made to date on the compilation of a draft Constitution for the North Northamptonshire Shadow Council.

2. BACKGROUND

The North Northamptonshire Joint Committee agreed at its meeting on 24th June 2019 to establish a working group to draw-up a draft Constitution for adoption by the Shadow Council. Any draft Constitution would need to be referred by the Joint Committee for consideration by the Shadow Council at its inaugural meeting (likely to be May 2020).

Councillor Jonathan Ekins (NCC) was appointed Chair of the Working Group. The other members of the Group include – Cllr Bob Eyles (CBC), Cllr Andy Mercer (ENC), Cllr Lloyd Bunday (KBC) & Cllr Barry Graves (BCW). The Group is supported by officers from CBC, NCC, ENC & BCW.

The Group has met in Wellingborough on 8th August 2019, 3rd September 2019, 26th September 2019, 24th October 2019 & 13th February 2020.

3. REPORT

The Group have been working to a Scoping Report agreed at its inaugural meeting, and previously reported to the Joint Committee.

The Group noted that a large part of the draft Constitution’s text would be dictated by law and statutory guidance, therefore it was keen to concentrate on “exceptions”, those areas of the Constitution where there could be “local choice”.

These “local choice” items included –

- Committee Structure
- Overview & Scrutiny Arrangements
- Public Participation and Access to Information

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- Member Officer Protocol
- Code of Conduct for Members
- Standing Orders – Rules of Procedure
- Financial Procedure Rules

It was noted by the Group that the section relating to Member Allowances was being considered by a separate body, but would eventually need to be included in the Shadow Council's Constitution.

A report relating to the Code of Conduct, Officer/Member Protocol and other associated codes is included in a separate agenda report.

Discussions on “local choice” issues

Attached as appendices to this report are the following draft documents:-

- Articles of the Constitution
- Responsibility for Functions
- Financial Procedure Rules

4. FINANCIAL IMPLICATIONS

There are currently no direct additional costs related to the work of the Working Group. Officer support will continue to be drawn from partner authorities.

5. LEGAL IMPLICATIONS

The Working Group is tasked with compiling a draft Constitution for the Shadow Council, incorporating all relevant laws and statutes. The Northamptonshire (Structural Changes) Order 2019 currently being considered by Parliament tasks the inaugural Shadow Full Council meeting with adopting a Constitution, to include executive governance arrangements.

6. CONCLUSION

The Working Group has made progress in identifying the key issues of “local choice” and commencing consideration of those items. Officers have been requested to draft documentation, based upon preferences expressed at the Working Group.

NORTH NORTHAMPTONSHIRE

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The following items are scheduled for presentation to the Joint Committee at its meeting on 30th March 2020 –

- Shadow Executive Committee Procedure Rules
- Overview and Scrutiny Procedure Rules
- Staff Employment Procedure Rules

7. RECOMMENDATION

- i) Approve the appendices for inclusion in the draft Constitution; and**
- ii) Note the progress made by the Governance Working Group and agree to receive a further update on the draft Shadow Council Constitution at the Joint Committee meeting on 30th March 2020.**

Appendices

Articles of the Constitution
Responsibility for Functions
Financial Procedure Rules

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Part 2 – ARTICLES OF THE CONSTITUTION

Article 1 – The Constitution;

Article 2 – The Shadow Council;

Article 3 – Rights and responsibilities of members of the public;

Article 4 – The Full Shadow Council;

Article 5 – The role of the Chairman;

Article 6 – Overview and Scrutiny;

Article 7 – The Shadow Executive Committee;

Article 8 – Other Committees;

Article 9 – Joint Arrangements;

Article 10 – Arrangements for promoting good standards of behaviour by Members;

Article 11 – Officers;

Article 12 - Decision Making;

Article 13 – Legal Matters; and

Article 14 - Review, revision, suspension, interpretation and publication of the Constitution

Article 15 – Budget and Policy Framework

Article 1 – The Constitution

1 Powers and duties of the Shadow Council

- 1.1 the powers and duties of the Shadow Council are set down in Acts of Parliament and secondary legislation. The Shadow Council will exercise those powers and duties in accordance with the law and its Constitution.

2 The Constitution

- 2.1 The Shadow Council's Constitution includes all those parts listed in Part 1 – Summary and Explanation.

3 Purpose of the Constitution

- 3.1 The objectives of this Constitution are:
- (a) To support the Shadow Council's preparations;
 - (b) To provide a framework for clear leadership to the community in partnership with its people, businesses and other organisations;
 - (c) To enable decisions to be taken efficiently and effectively;
 - (d) To provide a robust and effective overview and scrutiny function;
 - (e) To ensure that a decision will not be reviewed or scrutinised by anyone who was directly involved in making the decision; and
 - (f) To ensure that those responsibilities for decision making can be clearly identified by local people and that they can explain the reasons for their decisions.
- 3.2 The Shadow Council will ensure that the articles, procedural rules and protocols in this Constitution reflect and deliver the objectives set out above.

Article 2 – The Shadow Council

1 Composition

- 1.1 The Shadow Council comprises the 78 Councillors elected on 7th May 2020. The Councillors will continue in office after 1 April 2021 when a new local authority to be known as North Northamptonshire Council will come into existence.

2. Term of Office

- 2.1 Shadow Councillors' term of office will commence on the fourth day after the day on which elections were held.
- 2.2 Where a casual vacancy occurs in the office of a Shadow Councillor normal statutes relating to vacancies will apply.

3. Role of Shadow Councillors

- 3.1 Shadow Councillors will undertake the following roles:
- (a) as a body, they will set the Shadow Council's major plans, policies and strategies as required by law, perform those functions identified in the 2020 Order and will take decisions on such matters as must be reserved to the full Shadow Council by law or as provided for in this Constitution;
 - (b) oversee the Shadow Council's strategic and corporate management;
 - (c) represent their communities and the views of their electorate in the decision making process;
 - (d) support, as appropriate, individuals in their dealings with the Shadow Council and represent them in seeking to resolve particular concerns or grievances;
 - (e) balance the different interests of people within their constituency with a view to representing their constituency as a whole;
 - (f) participate, as appropriate, in the decision making and/or overview and scrutiny processes; and
 - (g) maintain the highest standards of conduct and ethics and will observe the Shadow Council's Code of Conduct for elected Shadow Councillors.

4 Shadow Councillors' Representational Roles

- 4.1 All Shadow Councillors represent their constituents and the Shadow Council sees this as an important role and responsibility under this Constitution.
- 4.2 Shadow Councillors have an important job in consulting their communities on the development of policies, plans and strategies and other local initiatives.
- 4.3 The Shadow Council will ensure in its processes that appropriate procedures are in place so that Shadow Councillors can contribute to the Shadow Council's business on behalf of their local community both in terms of policy development and decision making.

5. Shadow Councillor's Rights

- 5.1 Shadow Councillors will have rights of access to any document, information, land or buildings of the Shadow Council where this is necessary for the proper discharge of their functions as a Shadow Councillor and in accordance with the law and this Constitution.
- 5.2 A Shadow Councillor is not permitted to make available to the press or to a member of the public any information which he/she has been sent or given in whatever form and which is exempt or confidential information as defined in the Access to Information Procedure Rules which are set out in **Part 4** of this Constitution.
- 5.3 A Shadow Councillor shall not divulge information given in confidence to them to anyone other than a Shadow Councillor or officer or other person legally entitled to know it.

6 Chairman and Vice-Chairman of the Shadow Council

- 6.1 The Shadow Council will elect, from amongst its number, at its first meeting, a Shadow Councillor to serve as Chairman of the Shadow Council for the Shadow Period.
- 6.2 Similarly, the Shadow Council will appoint the Vice-Chairman of the Shadow Council for the Shadow Period.
- 6.3 Where a vacancy occurs in respect of either office, the Shadow Council will elect/appoint as appropriate at its next meeting.
- 6.4 A member of the Shadow Executive Committee cannot be elected or appointed as Chairman or Vice-Chairman of the Shadow Council while serving on the Shadow Executive Committee, otherwise any Shadow Councillor is eligible for election/appointment as Chairman or Vice-Chairman of the Shadow Council.
- 6.5 Where the Chairman and Vice-Chairman of the Shadow Council are both absent from a meeting of the Shadow Council, or part of it, the Shadow Council will appoint one of their members, other than a member of the Shadow Executive Committee, to preside.

7 Leader of the Shadow Council

7.1 The Shadow Council will elect, from amongst its number, at the first meeting of the Shadow Full Council, a Leader of the Council, who, upon election, will be chairman of the Executive Committee, and will hold office in accordance with paragraph 3 (1) of Article 7.

8 Other Offices

8.1 The Shadow Council will elect other Members to fill such offices as it may determine from time to time in accordance with any requirements set out in law or this Constitution.

9 Conduct of Shadow Councillors

9.1 All Shadow Councillors are required, at all times, to observe the Shadow Councillors' Code of Conduct and to have appropriate regard to such other protocols, policies, guidance and advice as may be issued from time to time through the Shadow Council's formal processes.

10 Shadow Councillors' Scheme of Allowances

10.1 All Shadow Councillors shall be entitled to receive such allowances as are laid down from time to time in the Shadow Councillors' Scheme of Allowances and/or statute.

11 Shadow Councillor Support

11.1 The Shadow Council will also provide support to Shadow Councillors as appropriate to enable them to fulfil their roles and responsibilities.

Article 2 – Appendix 1

Councillors of the Shadow Council

The Shadow Council consists of 78 councillors. These are detailed below. Further information is available via the Shadow Council's website.

Councillors	Ward	Councillors	Ward
	Brickhill and Queensway		Ise
	Burton and Broughton		Kingswood
	Clover Hill		Lloyds
	Corby Rural		Northall
	Corby West		Oakley
	Croyland and Swanspool		Oundle
	Desborough		Raunds
	Earls Barton		Rothwell and Mawsley

	Finedon		Rushden Pemberton West
	Hatton Park		Rushden South
	Higham Ferrers		Thrapston
	Irchester		Wicksteed
	Irthlingborough		Windmill

May 2020

Article 3 – Rights and responsibilities of Members of the Public

1 Rights

1.1 Members of the public have the following rights in regard to the affairs of the Shadow Council:

- (a) access to information subject to such constraints as may be imposed by law and as set out in the Access to Information Procedure Rules in **Part 4** of this Constitution;
- (b) to attend meetings of the Shadow Council and its committees and sub-committees except where exempt or confidential information is likely to be disclosed;
- (c) to film, audio record or report on meetings of the Shadow Council and its committees and sub-committees, except where exempt or confidential information is likely to be disclosed, subject to guidelines published on the Shadow Council's website and available at meetings;
- (d) to have access to the Shadow Council's Forward Plan of Key Decisions to be taken by the Shadow Executive Committee;
- (e) in accordance with the statutory framework to inspect reports, background papers and any records of decisions made by the Shadow Council, the Shadow Executive Committee, a committee, a sub-committee, the Leader or a Portfolio Holder subject to provisions on exempt or confidential information applying;
- (f) in accordance with the statutory framework to inspect the Shadow Council's Accounts and to make their views known to the external auditors where appropriate;
- (g) to ask questions or present petitions at designated meetings in accordance with such procedures as the Shadow Council may determine from time to time;
- (h) to contribute to investigations by the Overview and Scrutiny Committee where invited to do so; and
- (i) to complain to the Shadow Council where there is an alleged breach of the Shadow Councillors' Code of Conduct.

2 Responsibilities of Members of the Public

2.1 The Shadow Council in turn expects those living within the Shadow Council's area and/or receiving services not to use violent, abusive or threatening behaviour in any form against any Shadow Councillor, officer or persons acting for or on behalf of the Shadow Council.

- 2.2 The Shadow Council also asks that the property, assets and other resources of the authority, Shadow Councillors, officers or persons acting for or on behalf of the Shadow Council are not wilfully harmed or damaged.
- 2.3 When attending a meeting of the Council, the public will follow the reasonable instructions of the chair of the meeting and not disturb the conduct of business. The chair of the meeting, under the approved Meeting Procedure Rules, has the right if required to exclude a member of the public who is causing a continuing disturbance to the conduct of business.

Article 4 – The full Shadow Council

1 Functions

- 1.1 The functions of the Shadow Council are set out in the Northamptonshire (Structural Changes) Order 2020 (“the 2020 Order”) and in relevant consequential orders.
- 1.2 Except where there is provision by statute or this Constitution, the functions conferred by or under the Structural Changes Order are to be delegated to, and discharged by, its Executive Committee.
- 1.3 The Shadow Council will be responsible for the adoption of the Shadow Council’s budget and policy framework. For these purposes the budget includes the setting of council tax and the policy framework means such plans and strategies as must by law be approved by the Shadow Council.
- 1.4 The Shadow Council also has the functions set out in **Part 3** of this Constitution.

2 Shadow Council Meeting

- 2.1 The first meeting of the Shadow Council will be held within 14 days after the elections conducted on 7th May 2020.
- 2.2 Ordinary meetings will be held according to a calendar of meetings to be agreed by the Shadow Council and which will be published once agreed.
- 2.3 Extraordinary meetings may be called as and when required as provided in the Shadow Council Procedure Rules.

3 Conduct of Shadow Council Meetings

- 3.1 Shadow Council meetings will be conducted in accordance with the law and the Shadow Council’s Meeting Procedure Rules.

4 Responsibility for Functions

- 4.1 The Shadow Council will maintain a record of those Shadow Council functions which are the responsibility of its subordinate bodies i.e. committee or officers of the Council.

Article 5 – The role of the Chairman of the Shadow Council

1 Civic Role

- 1.1 The Chairman of the Shadow Council, supported by the Vice-Chairman, and as appropriate other Shadow Councillors, will perform the civic role on behalf of the Shadow Council.
- 1.2 The civic role entails raising and maintaining the profile of the Shadow Council's area, the Shadow Council and its members to the public. The office will promote the aims and values of the Shadow Council in an apolitical manner.
- 1.3 The Chairman will promote such civic and ceremonial functions as the Shadow Council may determine following consultations, where appropriate.
- 1.4 The Chairman will represent the Shadow Council at civic and ceremonial functions of other local authorities or involving other appropriate bodies.

2 Shadow Council Role

- 2.1 The Chairman will be elected by the Shadow Council at its first meeting. The Vice-Chairman is also appointed at the same meeting.
- 2.2 The Chairman is responsible for the following:
 - (a) upholding and promoting the purposes of this Constitution and interpreting it with appropriate advice when necessary;
 - (b) presiding over meetings of the full Shadow Council to ensure that business is carried out efficiently and effectively whilst preserving the rights of Shadow Councillors and the interests of members of the public;
 - (c) ensuring that at Shadow Council meetings matters of concern to local communities can be debated through the appropriate Shadow Councillors;
 - (d) ensuring that Shadow Councillors who are not on the Shadow Executive Committee or who do not hold the chairmanship of a main committee are able to hold those office holders to account;
 - (e) promoting public involvement in the Shadow Council's affairs and acting as a contact between members of the public and organisations and the Shadow Council; and
 - (f) undertaking such other roles as may be placed upon the office from time to time by the Shadow Council.

3 Vice-Chairman of the Shadow Council

- 3.1 The Vice-Chairman will support the Chairman in his/her civic role and will carry out civic duties as well on behalf of the civic office.

- 3.2 The Vice-Chairman will also deputise in the absence of the Chairman in carrying out the responsibilities of the office of Chairman.

Article 6 – Overview and Scrutiny Committee

1 Overview and Scrutiny

- 1.1 The Shadow Council has established arrangements for the overview and scrutiny of decisions or other action taken by the Shadow Executive Committee and others in accordance with the Local Government Act 2000 as applied by the 2020 Order. This Article sets out those arrangements. It should be read in conjunction with the Overview and Scrutiny Procedure Rules.
- 1.2 The Shadow Council will keep under review its overview and scrutiny arrangements and will make changes where it considers these are appropriate and will lead to improvements and an improved overview and scrutiny function.

2 Responsibilities of the Overview and Scrutiny Committee

- 2.1 The Overview and Scrutiny Committee has the functions set out in **Part 3** of this Constitution.

3 Membership of the Overview and Scrutiny Committee

- 3.1 The Overview and Scrutiny Committee shall comprise 13 Shadow Councillors. The Chairman of the Committee will be a member of the largest opposition political group on the Shadow Council who will be appointed by the Shadow Council.
- 3.2 No member of the Shadow Executive Committee may be a member of the Overview and Scrutiny Committee or any Overview and Scrutiny task and finish panel.
- 3.3 Any body established under these Scrutiny arrangements will be a politically proportionate body reflecting the overall political representation on the Shadow Council.

4 Conduct of Overview and Scrutiny Committee meetings

- 4.1 Conduct of the proceedings at Overview and Scrutiny Committee meetings shall be in accordance with the Shadow Council and Overview and Scrutiny Procedure Rules as appropriate.

5 Task and Finish Panels

- 5.1 The Overview and Scrutiny Committee may establish such task and finish panels as it considers necessary after taking into account the availability of resources, the work programme and scope of the review.
- 5.2 The Committee will appoint the Chairman (and Vice Chairman, if appropriate) of each panel and agree the membership.

Article 7 – The Shadow Executive Committee

1 Role of the Shadow Executive Committee

- 1.1 The Shadow Executive Committee will carry out all of the Shadow Council's duties and responsibilities which are not the responsibility of any other part of the Shadow Council, whether by law or under this Constitution, and in particular it will carry out those duties and responsibilities of the Shadow Executive Committee which are contained in the 2020 Order.
- 1.2 The Shadow Executive Committee will also exercise the functions of the Shadow Council that must be delegated to it by the full Shadow Council under **Article** 18 of the 2020 Order.
- 1.3 The Shadow Executive Committee shall be responsible for making recommendations to the Shadow Council on the setting of the 2021/2022 budgets for the North Northamptonshire.

2 Composition of the Shadow Executive Committee

- 2.1 The Leader of the Council will be elected by the Shadow Full Council at its Annual Council meeting each year.
- 2.2 The Executive Committee will consist of the Leader of the Council and at least two, but not more than 9, other Shadow Councillors appointed to the Executive Committee by the Leader of the Council.
- 2.3 The Leader of the Council will nominate another Executive Committee Member to act as Deputy Leader.
- 2.4 The Executive Committee will be chaired by the Leader of the Council, or in his/her absence by the Deputy Leader. Should both the Leader and Deputy Leader be absent at a meeting, the remaining Executive Committee Members will elect a chairman for the duration of that meeting.
- 2.5 No deputy or substitution arrangements are allowed in respect of the Shadow Executive Committee. Neither the Chairman nor Vice-Chairman of the Shadow Council may be appointed to the Shadow Executive Committee. No Member of the Overview and Scrutiny Committee can be appointed to the Executive Committee.

3 The Leader

- 3.1 The Leader will hold office until:
 - (a) he/she resigns from the office of Leader;
 - (b) he/she becomes ineligible to be a Shadow Councillor for a specified period or indefinitely;
 - (c) he/she ceases to be a Shadow Councillor; or

- (d) he/she is removed from office by a resolution of the Shadow Full Council.
- 3.2 Where there is a vacancy in the office of Leader, the Deputy Leader shall assume the responsibilities of the Leader until the next meeting of the Shadow Full Council, whether that be an Ordinary or Extraordinary meeting of the body.
- 3.3 If for any reason the Leader of the Council is unable to act or the office of Leader is vacant, the Deputy Leader must act in his/her place. If for any reason the both the Leader and Deputy Leader are unable to act, or both posts are vacant, the Executive Committee must act or must arrange for another Executive Member to act in the interim, until a permanent solution is determined.

4 Other Shadow Executive Committee Members

- 4.1 Other members of the Shadow Executive Committee shall hold office until –
 - (a) they resign from office;
 - (b) they are no longer a Shadow Council Member;
 - (c) they are removed from office by the Leader of the Council, who must give written notice of removal to the Member and the Monitoring Officer. The removal will take effect two clear working days after receipt of the notice by the Monitoring Officer.

5 Proceedings of the Shadow Executive Committee

- 5.1 All proceedings of the Shadow Executive Committee and its Committees shall be conducted in accordance with the Shadow Executive Committee Procedure Rules set out in this Constitution.

6 Responsibility for Functions

- 6.1 The Executive Committee can exercise any executive power. Alternatively, the Executive Committee may arrange for the discharge of any executive functions by: the Leader; another member of the Shadow Executive Committee; a committee of the Shadow Executive Committee; or an officer of the Shadow Council.
- 6.2 If the Leader is unavailable, absent or there is a vacancy in the post of the Leader, the Deputy Leader can exercise any delegated executive power.
- 6.3 Unless the Shadow Executive Committee requests the Shadow Council to discharge any function in accordance with Article 18 of the 2020 Order, the Shadow Executive Committee can exercise any function of the Shadow Council conferred on the Shadow Council by or under the 2020 Order save to the extent any provision of any Act, the 2020 Order or regulations under section 9D or 9DA of the Local Government Act 2000 require otherwise.
- 6.4 The Shadow Executive Committee and other committees can delegate powers to the extent as provided for in Part 1A of the Local Government Act 2000. The arrangements set out in this Constitution reflect those currently agreed. Further, the Shadow Executive Committee can also delegate its powers to any Officer of the

Shadow Council, Northamptonshire County Council and/or District/Borough Council or Executive Committee member as defined in the 2020 Order.

6.5 The Leader will ensure that a record is kept of the Shadow Executive Committee functions which are the responsibility of any sub-committee of the Shadow Executive Committee, any Executive Committee Member, officer or under any joint arrangements. A copy of that record to be deposited with the Shadow Council's three statutory officers.

6.6 Where a delegation arrangement is made under paragraph 6.7 above, it shall not preclude the body or person delegating the function, or part of it, from exercising that function on giving notice in writing to that body or person.

7 Sub-Committees of the Executive Committee

7.1 The Executive Committee may establish from its membership, sub-committees with full or partial delegated powers to undertake its responsibilities and functions.

8 Task and Finish Groups

8.1 The Executive Committee may establish any Task and Finish Groups it determines are required to assist in formulating recommendations, guidance or providing advice, on matters relating to the Executive Committee's responsibilities and functions.

8.2 Task and Finish Groups cannot determine matters on behalf of the Executive Committee but may provide recommendations for deliberation and determination by the Executive Committee.

8.3 Each Task and Finish Group will be chaired by a Member of the Executive Committee, however its full membership can be drawn from other Members of the Shadow Council and include other stakeholder representatives where appropriate.

Article 8 – Other Committees

1 Other Committees

- 1.1 The Shadow Council will appoint the following other Committees to take such decisions which are not within the responsibilities of the Shadow Executive Committee:

Committee	Councillor Membership
Overview and Scrutiny Committee	13
Senior Appointments Committee	5 (of whom at least one should be a member of the Executive Committee)
Standards Committee	7

The Independent Remuneration Panel will comprise members of the Northamptonshire Councils' existing remuneration panels.

- 1.2 The Shadow Council may appoint other Committees, Sub-Committees and Special Committees with delegated powers to act under specific terms of reference which must be set out in the minutes.
- 1.3 To the extent that any committees are not exercising executive functions the provisions of sections 15-17 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 will apply to their membership.

2 Powers of Committees

- 2.1 The Committees shall have the functions set out in Part 3 of this Constitution.
- 2.2 A Committee may, at any time, decline to exercise a delegated power. The matter must then be considered and determined by the Shadow Council as appropriate.

3 Conduct of Committee Meetings

- 3.1 Committee meetings will be conducted in accordance with the law and **Parts B and C** of the Meeting Procedure Rules set out in Part 4 of this Constitution.

Article 9 – Joint Arrangements

9.1 There are currently no joint arrangements.

Article 10 – Arrangements for promoting good standards of behaviour

1 Adoption of a Code of Conduct for Shadow Councillors

- 1.1 The Shadow Council has adopted the Code of Conduct for Shadow Councillors set out in Part 5 of this Constitution.

2 Application of the Code of Conduct

- 2.1 The Code of Conduct will apply to all Shadow Councillors whenever they act, claim to act or give the impression they are acting in their official capacity as a Member of the Authority.

3 Alleged breaches of the Code of Conduct

- 3.1 Any allegations that a Shadow Councillor has breached the Code of Conduct are to be reported to the Monitoring Officer who will follow the approved procedure as set out in Part 5 of this Constitution.

4 Independent Person

For the purposes of Part 5 of this Constitution, references to “the Independent Person” are to a person chosen by the Monitoring Officer from among all of the Independent Persons appointed by each of the councils, within the North Northamptonshire area, under section 28(7) of the Localism Act 2011 as part of their arrangements under which decisions on allegations are made.

Article 11 – Officers

1 Northamptonshire (Structural Changes) Order 2020

- 1.1 **Article 9** of the 2020 Order makes provision for the Shadow Council to designate officers to the posts of interim Monitoring Officer, interim Chief Finance Officer and to be its interim Head of Paid Service, and by 31st December 2020 to appoint the North Northamptonshire Council's permanent Monitoring Officer, permanent Chief Finance Officer or permanent Head of Paid Service.
- 1.2 The roles and functions of those officers are set out in the 2020 Order.
- 1.3 The Monitoring Officer may appoint, in writing, further deputies as he/she considers appropriate.
- 1.4 The Chief Finance Officer may appoint, in writing, a deputy as appropriate.

2 Functions of the Head of Paid Service

- 2.1 The Head of Paid Service will report to the full Shadow Council on the manner in which the Shadow Council develops its functions and the co-ordination of those functions. He/she also has statutory functions in relation to staff directly employed or engaged by the Shadow Authority.
- 2.2 Subject to the 2020 Order, the Head of Paid Service is designated as

3 Functions of the Monitoring Officer

- 3.1 The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Shadow Councillors, staff and the public.
- 3.2 After consulting with the Head of Paid Service, the Monitoring Officer will report to the full Shadow Council, (or to the Shadow Executive Committee in relation to a Shadow Executive Committee function), if he/she considers any proposal, decision or omission would give rise to unlawfulness or if any decision or omission would give rising to a finding of maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- 3.3 He/she will contribute to the promotion and maintenance of high standards of conduct.
- 3.4 He/she will provide advice to all Shadow Councillors on issues in relation to the scope of powers and authority to take decisions, maladministration, financial impropriety and probity.

4 Functions of the Chief Finance Officer

- 4.1 After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer will report to the full Shadow Council (or to the Shadow Executive Committee in relation to a Shadow Executive Committee function) and the Shadow

Council's external auditor if he/she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Shadow Council is about to enter an item of account unlawfully.

- 4.2 He/she will have overall responsibility for the administration of the financial affairs of the Shadow Council.
- 4.3 He/she will contribute to the corporate management of the Shadow Council, in particular, through the provision of professional financial advice.
- 4.4 He/she will provide advice on issues to all Shadow Councillors in relation to the scope of powers and authority to take decisions, maladministration, financial impropriety and probity issues and will support and advise Shadow Councillors and officers in their respective roles.
- 4.5 He/she will provide financial information to the media, members of the public and the community.

5 Duty to provide sufficient resources to the Monitoring Officer and the Chief Finance Officer

- 5.1 The Shadow Council will provide these officers with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed in their statutory roles.

6 Conduct

- 6.1 Officers will comply with any protocol on Member/Officer Relations that has been adopted by the Shadow Council.

7 Employment

- 7.1 The recruitment, selection and dismissal of officers will comply with the Staff Employment Procedure Rules as set out in this Constitution.

Article 12 – Decision Making

1 General

- 1.1 The Shadow Council will keep an up-to-date record, which shall be available for public inspection, of who has responsibility for making decisions in relation to Shadow Council functions and services.
- 1.2 All decisions of the Shadow Council will be made in accordance with the law, this Constitution and the principles set out below.

2 Types of Decision and the Decision-Takers

- 2.1 The Shadow Council will take all decisions which it has reserved to itself or which it is required to take by law.
- 2.2 The Shadow Executive Committee will take all decisions including Key Decisions which it is required to determine as required by law or because the Shadow Council has decided to delegate the matter to the Shadow Executive Committee.
- 2.3 Other Committees, Sub-Committees, Executive Committee Members, **officers of the Implementation Team** and officers of the Shadow Council will take such decisions as are delegated to them by the Shadow Council or the Shadow Executive Committee.

3 Decision Making Procedures

- 3.1 In taking decisions the full Shadow Council, the Shadow Executive Committee, Overview and Scrutiny Committee, and other Committees and Sub-Committees will follow the Shadow Council's Procedure Rules and in particular as follows:
 - (a) Shadow Council – Meeting Procedure Rules **Parts A and C**;
 - (b) Shadow Executive Committee – Shadow Executive Committee Procedure Rules and Meeting Procedure Rules **Part C**;
 - (c) Overview and Scrutiny Committee – Overview and Scrutiny Procedure Rules and Meeting Procedure Rules **Parts B and C**; and
 - (d) Committees and Sub-Committees – Meeting Procedure Rules **Parts B and C**.

4 Definition of Key Decision

- 4.1 A Key Decision means:

“ a decision which, is likely -

- (a) To result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority's budget for the service or function to which the decision relates; or

- (b) To be significant in terms of its effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.”

In determining the meaning of “*significant*” for these purposes the Shadow Council will have regard to any guidance for the time being issued by the Secretary of State in accordance with section 9Q of the Local Government Act 2000, **and the advice of the Shadow Council’s statutory officers.**

Article 13 – Legal Matters

1 Legal Proceedings

- 1.1 The Monitoring Officer is authorised to institute, defend or participate in any legal proceedings or to take such other action where such action is necessary to give effect to decisions of, or on behalf of, the Shadow Council or in any case where he/she considers that such action is necessary to protect or further the Shadow Council's interests.

2 Document Authentication

- 2.1 Where any document is necessary to any legal procedure or proceedings on behalf of the Shadow Council, it will be signed by the Monitoring Officer or other person authorised by him/her unless any enactment otherwise authorises or requires, or the Shadow Council has given requisite authority to some other person.
- 2.2 In the absence of any authority given to a specific officer, whether by this Constitution or in any other manner, all contracts entered into on behalf of the Shadow Council may be signed by any one or more of the following:
- (a) the Head of Paid Service;
 - (b) the Monitoring Officer; and/or
 - (c) the Chief Finance Officer Officer.

3 Address for service of documents

- 3.1 Documents to be served on the Shadow Council may be addressed to the Monitoring Officer at the main offices of the Shadow Council. For this purpose and all purposes connected with this Constitution the Shadow Council's main office is at the main office of the Council determined by the Shadow Council.

Article 14 – Review, Revision, Suspension, Interpretation and Publication of the Constitution

1 Review

- 1.1 The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.

2 Changing the Constitution

- 2.1 Any councillor, the Full Council or part of the Council may request the Monitoring Officer to consider changes to the Constitution. The Monitoring Officer will consider any requests for changes to the Constitution to ensure their compliance with statute. If the proposed changes are compliant with statute and are not likely to conflict with policy approved by the Shadow Council, the Monitoring Officer will submit a report to Full Council accordingly.

- 2.2 The Monitoring Officer may make minor amendments to the Constitution, in consultation with Chief Finance Officer, the Leader and the Chairman of the Council.:

- (a) where he/she considers this necessary and/or expedient to reflect legislative change, secure consistency, address any legal ambiguity and/or other legal issue and/or address any uncertainty in interpretation; or
- (b) for any other reason, provided that any such amendment does not seek to remove any reserved power of the Shadow Council and/or the Shadow Executive Committee and confirmation of such amendments are reported to the next available meeting of the Shadow Council.

Should any consultee (listed above) request any proposed amendment be submitted to Full Council for ratification then this will be submitted to the next scheduled meeting.

- 2.3 For proposed changes from Executive arrangements, the Council must comply with necessary statute. No changes to the Council's form of governance may be effective prior to 1st April 2021.

3 Suspension of the Constitution

- 3.1 The Articles of this Constitution may not be suspended. However, the Meeting Procedure Rules set out in this Constitution may be suspended by the Shadow Council to the extent permitted within those Rules and the law.

- 3.2 A motion to suspend any rules cannot be moved without notice, unless at least one half of the whole number of Shadow Councillors is present. The extent and duration of suspension will be proportionate to the result to be achieved, taking into account the purposes of the Constitution set out in Article 1.

4 Interpretation

4.1 The ruling of the Chairman of the Shadow Council as to the construction or application of this Constitution or as to any proceedings of the Shadow Council shall not be challenged at any meeting of the Shadow Council. Such interpretation will have regard to the purposes of this Constitution.

4.2 The Chairman will consult with the Monitoring Officer, or in the Monitoring Officer's absence, other appropriate officers prior to any ruling under 4.1 above.

5 Publication

5.1 The Monitoring Officer:

- (a) will give each Shadow Councillor access to a copy of this Constitution in their preferred format;
- (b) will ensure that a copy of this Constitution is made available on the Shadow Council's website;
- (c) will ensure that copies are available for inspection at the Shadow Council's Main Office, and other appropriate locations, and can be purchased by members of the public and press on payment of a reasonable fee;
- (d) will ensure that the summary of the Constitution is made available within the area and is updated as necessary.

Article 15 - Budget and Policy Framework

This article details those policy documents and strategy documents which comprise the “policy framework” of the Shadow Council. This policy framework and the annual budget are the responsibility of the Shadow Full Council.

Framework

- (a) General Fund Budget 2021/22;
- (b) Housing Revenue Account Budget 2021/22;
- (c) Capital Programme 2021/22;
- (d) Medium Term Financial Strategy 2021/22 onwards;

The following are matters **reserved** for Shadow Full Council –

- (e) Adopting and changing the Shadow Council Constitution (subject to Article 14 above);
- (f) Confirming the appointment or designation of the interim, acting or permanent Head of Paid Service, Chief Finance Officer and Monitoring Officer;
- (g) Adopting or amending a Members’ Allowance Scheme for the Shadow Full Council (following receipt of recommendations from an Independent Remuneration Panel);
- (h) All other matters which by law must be reserved to the Shadow Full Council.

Responsibility for Functions

1 General

- 1.1 The Shadow Council has the functions set out in the 2020 Order and in particular it will have the following responsibilities:
- (a) to commence and sustain its running as a Shadow Council;
 - (b) to prepare the Shadow Council for the assumption of local government functions and full authority functions and powers on 1 April 2021;
 - (c) to prepare any budgets or plans required beyond 1 April 2021 when those functions and powers are assumed;
 - (d) to liaise with the Borough Council of Wellingborough, Corby Borough Council, East Northamptonshire District Council, Kettering Borough Council, Northamptonshire County Council, and the West Northamptonshire Shadow Council for the purposes of ensuring continuity of public service delivery on and after 1 April 2021;
 - (e) to take all such practical steps as are necessary or expedient to liaise with the other local authorities within its area for the purposes of ensuring continuity of public service delivery on and after 1 April 2021; and
 - (f) to exercise any of the Local Government Act 1972 functions referred to in, and in accordance with the 2020 Order.
- 1.2 The powers and functions of the Shadow Council are therefore limited and, consequently, the powers and functions of its Shadow Executive Committee, committees, sub-committees and other decision making bodies are similarly limited. The responsibilities for functions described in this Part of the Constitution must therefore be considered in this context. However, upon the assumption of full local authority functions and powers on 1 April 2021, these responsibilities will increase.
- 1.3 The Shadow Council is required in this Constitution to set out the allocation of responsibilities for its function.
- 1.4 The following paragraphs cover functions which are:
- (a) the responsibility of the Leader and the Shadow Executive Committee;
 - (b) the responsibility of the Shadow Council and/or its Committees/Sub-Committees; and
 - (c) the responsibility of Officers.
- 1.5 Where a function is not specified as being the responsibility of the Shadow Council, a Committee, Sub-Committee or officer that function shall, unless otherwise proved to the contrary by law, be the responsibility of the Leader.

- 1.6 The exercise of any power or duty is subject to compliance with the law, the provisions of this Constitution and that sufficient budgetary provision having been made.
- 1.7 Any reference to a function or matter includes a reference to all statutory powers about that function or matter whether directly or indirectly and authority to exercise all such powers.
- 1.8 Any reference in the scheme of delegation to an Act of Parliament or statutory instrument includes a reference to any amendment, modification or statutory re-enactment (with or without modification).
- 1.9 Where a power or duty of the Council has been delegated the delegation includes any action that may be incidental to the exercise of the power or duty.

2 Functions of the Leader and the Shadow Executive Committee

- 2.1 The functions to be exercised by the Leader or Shadow Executive Committee are set out in **Article 7** of this Constitution. Where the Leader or the Shadow Executive Committee is exercising a Shadow Executive Committee function, in whole or in part, the Leader or the Shadow Executive Committee is empowered to take all necessary and appropriate decisions to fulfil the obligations placed upon them subject to any restrictions or constraints imposed by the law or this Constitution.

3 Responsibilities of committees of the Shadow Executive Committee

- 3.1 Where the Leader has arranged for an executive function to be exercised by a committee of the Shadow Executive Committee, the committee is empowered to take all necessary and appropriate decisions to fulfil the obligations placed upon it by the Leader, subject to any restrictions or constraints imposed by the law or this Constitution.

4 Functions of the Shadow Council

- 4.1 The functions of the Shadow Council are set out in **Article 4** of Part **2** but include:
- (a) approving a budget for the North Northamptonshire Council and setting of the council tax for its area;
 - (b) adopting the Shadow Council's Constitution in accordance with the requirements of section 9P of the Local Government Act 2000;
 - (c) appointing the:
 - Chairman of the Shadow Council;
 - Vice-Chairman of the Shadow Council;
 - Chairman and Vice-Chairman of Committees, Sub-Committees and Special Committees; and
 - Such other offices as may be required by or under the 2020 Order or this Constitution;

- (d) Adopting the Shadow Council's Codes of Conduct for Shadow Councillors and Officers and the Protocol on Member/Officer Relations;
- (e) Where permitted by the law, will make arrangements for appointments to outside bodies;
- (f) Carrying out all duties specified in and compliant with the 2020 Order where the Shadow Executive Committee has given notice under Article 18 of the 2020 Order;
- (g) Approving the Shadow Councillors Allowance Scheme, including any pension provision for Members, following advice from any Independent Remuneration Panel;
- (h) Appointment, designation or dismissal of statutory officers as required under the 2020 Order or other statutes;
- (i) May determine other matters which may from time to time be submitted to it for determination, either by resolution or through approved procedures, where such matters do not fall within the functions of the Shadow Executive Committee.

5 Regulatory Committees

- 5.1 Until the Shadow Council assumes local government functions and full local authority powers on 1 April 2021, in accordance with the 2020 Order, the Shadow Council will not exercise any regulatory powers and functions. The Shadow Council will, however, take such practical steps as are necessary or expedient to prepare the Shadow Council for the assumption of such regulatory functions and powers.

6 Responsibility of the Senior Appointments Committee

- 6.1 The Senior Appointments Committee has responsibility for:
- (a) undertaking the selection process for the appointment, and formulating recommendations to the Shadow Council in relation to the appointment and dismissal of the permanent Head of Paid Service, and before 1 April 2021 the designation of persons to be the Monitoring Officer and Chief Finance Officer of the North Northamptonshire Council in accordance with the appropriate procedures set out in the Staff Employment Procedure Rules;
 - (b) undertaking the selection, appointment and dismissal processes for any other staff in accordance with the appropriate procedures set out in the Staff Employment Procedure Rules;
 - (c) hearing and determining any appeals by staff under the Shadow Council's approved personnel policies and procedures including through any appointed Sub-Committee; and

- (d) hearing and dealing with disputes registered with the Shadow Council by recognised trade unions.

7 Responsibility of the Overview and Scrutiny Committee

7.1 The Shadow Council shall have one Overview and Scrutiny Committee, which may commission task and finish groups to undertake scrutiny projects. The Overview and Scrutiny Committee will specifically:

- (a) discharge the Shadow Council's functions under Section 9F of the Local Government Act 2000;
- (b) oversee the Shadow Council's overall overview and scrutiny function including the preparation, implementation, monitoring and review of an annual work programme for overview and scrutiny;
- (c) establish such task and finish groups, appointing the Chairman with such membership as it sees fit, to undertake overview and scrutiny on a task and finish basis;
- (d) ensure that officers discharge their responsibilities effectively and efficiently in relation to the overview and scrutiny function;
- (e) scrutinise decisions of the Shadow Executive Committee, and offer advice or make recommendations on the matter under scrutiny once the Overview and Scrutiny Committee have considered the issues;
- (f) refer to the Shadow Council, the Shadow Executive Committee or appropriate Committee/Sub-Committee any matter which, following scrutiny, the Overview and Scrutiny Committee determines should be brought to the attention of the Shadow Council, Shadow Executive Committee or the Committee or Sub-Committee.
- (g) if requested, offer any views or advice to the Shadow Executive Committee in relation to any matter referred to the Overview and Scrutiny Committee for consideration;
- (h) undertake general policy reviews with a cross-service and multi-organisational approach wherever possible and make recommendations to the Shadow Council or the Shadow Executive Committee to assist in the development of future policies and strategies;
- (i) in performing its role, the Committee may consult and involve the local community and other public, private and voluntary bodies or organisations;
- (j) review the Shadow Council's response to its obligations in respect of the overall performance management regime and where appropriate advise the Shadow Executive Committee and the Shadow Council of its findings;
- (k) scrutinise decisions after implementation to examine their effect and outcomes;

- (l) contribute to ensuring that the Shadow Council develops and maintains effective policies and procedures for handling complaints and other customer feedback to the Shadow Council; monitor the overall level and nature of complaints and other customer feedback received and make recommendations regarding actions to address identified issues as appropriate;;
- (m) monitor the level and nature of Local Government and Social Care Ombudsman complaints and make recommendations regarding actions to address identified issues as appropriate to the Shadow Executive, Committees, Sub-Committees and officers; and
- (n) contribute to ensuring that the Shadow Council has in place appropriate mechanisms to protect organisational integrity including the development of appropriate policies and guidance.

8 Responsibility of the Standards Committee

- 8.1 The Standards Committee is responsible for assessing and determining allegations that Shadow Councillors have breached the Shadow Council's Code of Conduct in accordance with **Article 10** of this Constitution.

9 Independent Remuneration Panel

- 9.1 The 2020 Order requires the Shadow Council to prepare and make a scheme for the payment of allowances to its Shadow Councillors. The Independent Remuneration Panel shall have the functions given by Regulation 21 of the Local Authorities (Members' Allowances) (England) Regulations 2003.

10 Powers of Officers

- 10.1 The Shadow Council and its Shadow Executive Committee may delegate such powers, responsibilities and decisions to any of its own officers, or to any officers of Northamptonshire County Council or the District/Borough Councils as defined in the 2020 Order.
- 10.2 The Head of Paid Service shall have the power to take:
 - (a) all necessary action for the effective day-to-day management, operation and/or administration of the Shadow Council and for the efficient discharge of the professional responsibilities of his/her office;
 - (b) any action required to implement a decision of the Shadow Council, the Leader, the Shadow Executive Committee or any committee or sub-committee;
 - (c) **in consultation with the Leader, unless the Leader is unavailable or absent, any urgent action as may be appropriate in connection with any of the executive or non-executive functions of the Shadow Council; and**
 - (d) without prejudice to the above, any action for the purposes of agreeing the terms and entering into any secondment agreements under section 113 of the

Local Government Act 1972 and/or any arrangements for the purposes of securing the provisions of any goods and/or services whether pursuant to the Local Authorities (Goods and Services) Act 1970 or otherwise.

10.3 The Monitoring Officer, and the Chief Finance Officer have the statutory powers which are set out in the 2020 Order together with the power:

- (a) to take all necessary action within their areas of responsibility for the effective day-to-day management, operation and/or administration of the Shadow Council and for the efficient discharge of the professional responsibilities of their office;
- (b) to take any action within their areas of responsibility required to implement a decision of the Shadow Council, the Leader, the Shadow Executive Committee or any committee or sub-committee;
- (c) without prejudice to the above, to take any action for the purposes of agreeing the terms and entering into any secondment agreement under section 113 of the Local Government Act 1972 and/or any arrangements for the purposes of securing the provision of any goods and/or services whether pursuant to the Local Authorities (Goods and Services) Act 1970 or otherwise; and
- (d) to exercise any power of the Head of Paid Service if unavailable, absent and/or any such post is vacant.

10.4 When exercising delegated powers officers:

- (a) must comply with the Shadow Council's Financial and other relevant Procedure Rules and with the law;
- (b) may authorise expenditure only which is in accordance with approved estimates and which does not require an approval which has not been authorised or received;
- (c) save to the extent that the determining officer considers necessary, in order to give effect to a matter to which delegation **11.3 (c)** above relates, shall comply with approved policies, schemes or directions of the Shadow Council, Leader, Shadow Executive Committee or of any Committee and shall not depart from such policies, schemes or directions; and
- (d) shall consult with the appropriate professional or technical officer(s) of the Shadow Council or the Northamptonshire Councils (as defined in the 2020 Order).

10.5 Delegation to officers does not affect the powers of the Shadow Council, Leader, Shadow Executive Committee or any Committee at any time to decide upon any delegated matter.

10.6 Officers may refer issues on which they have delegated power to the body or person by whom the delegation was given.

- 10.7 Authority to take decisions and other action including the signing of documents and the requirement to arrange consultations shall be undertaken on behalf of the Shadow Council in the name of the officer to whom the authority to act is given, but need not necessarily be personally by them.
- 10.8 Any specific delegation to the Head of Paid Service, Monitoring Officer or the Chief Finance Officer (including power to act as the Proper Officer), may be exercised by another Officer specifically designated in writing by the Head of Paid Service, Monitoring Officer or the Chief Finance Officer to whom the delegation applied initially, in accordance with any general directions issued and included in such written authorisation.
- 10.9 Neither the Monitoring Officer's nor the Chief Finance Officer's statutory responsibilities may be delegated, although they may each appoint a member of their staff to carry out those functions in their absence.

Financial Procedure Rules

1 Introduction

- 1.1 The Local Government Act 1972 Section 151 requires the Shadow North Northamptonshire Council to make arrangements for the proper administration of its financial affairs. The Shadow Council has allocated this responsibility to the Section 151 Officer (Chief Financial Officer) for the new North Northamptonshire.
- 1.2 References to Section 151 Officer also apply to the interim appointment until a permanent appointment is made to the post.
- 1.3 These Financial Procedure Rules set out the financial responsibilities of the Shadow Council, the Shadow Executive, Section 151 Officer and the Head of Paid Service and their nominated representatives as appropriate, in relation to the Shadow North Northamptonshire Council prior to the creation of North Northamptonshire Council on the 1 April 2021.
- 1.4 Should any uncertainty or dispute arise about these Procedure Rules, the matter must be referred to the Section 151 Officer for interpretation and arbitration.
- 1.5 The Section 151 Officer has the authority to delegate matters under these Financial Procedure Rules, where appropriate, and records will be maintained of any such delegations.

2 Financial Transactions

- 2.1 The Shadow Council will not incur any direct payments or receive any income directly.
- 2.2 Any expenditure incurred or income received on behalf of the Shadow Council will be undertaken and accounted for by Daventry District Council, whose approved financial procedures will be utilised for those purposes.
- 2.3 Any procurement undertaken by the Shadow Council, or authorised on its behalf, will be compliant with the law and the approved procedures of Daventry District Council.

3 Employees

- 3.1 Interim appointments to the three statutory posts made by the Shadow North Northamptonshire Council will be made on a secondment basis and the appointed employees will remain employed by their existing councils on their existing terms and conditions.
- 3.2 The appointment to permanent posts by the Shadow Council on behalf of the North Northamptonshire Council will be employed by Northamptonshire County Council under terms and conditions to be agreed by the Shadow Executive Committee.

4 Responsibilities of the Section 151 Officer

- 4.1 Under Section 151 of the Local Government Act 1972, to undertake the duties of the Responsible Financial Officer to the Shadow Council in preparing for a legally compliant North Northamptonshire Council on the 1 April 2021.
- 4.2 As Responsible Financial Officer, under Section 114 of the Local Government Act 1988, making a report to the Shadow Council, the Shadow Executive Committee and external auditor if the Shadow Council or one of its appointed officers:
- (a) has made, or is about to make, a decision which involves committing one of the existing councils to unlawful expenditure on behalf of the Shadow Council; or
 - (b) has taken, or is about to take, an unlawful action on behalf of the Shadow Council, which has resulted or would result in a loss or deficiency to the existing councils or the future North Northamptonshire Council.
- 4.3 As Responsible Financial Officer, under the Accounts and Audit Regulations 2015, to comply with internal control requirements as far as they are applicable to the creation of North Northamptonshire Council.
- 4.4 Reporting to the Shadow Executive Committee any significant decisions of the existing councils that would be to the detriment of the Shadow Council or North Northamptonshire Council.
- 4.5 Working with the Shadow Executive Committee and any other Member body established to provide advice and financial information on the emerging financial position of North Northamptonshire Council and on the key financial controls necessary to secure sound financial management in the new organisation.
- 4.6 Maintaining and updating a Medium Term Financial Strategy (MTFS).
- 4.7 Preparing the revenue budget and capital programme; advising on the level of council tax; and preparing treasury management, banking and exchequer functions.

5 Policies, Strategies and Plans

- 5.1 The Section 151 Officer is responsible for preparing the following documents for consideration by the Shadow Executive Committee and approval by the Shadow Council at the same time as the 2021/22 budget is approved and council tax set:
- (a) Capital Programme;
 - (b) Treasury Management Strategy including:
 - i) Capital Prudential Indicators and Limits for 2020/21 to 2024/25;
 - ii) Minimum Revenue Provision Statement;
 - iii) Treasury Prudential Indicators;

- iv) Authorised Limit Prudential Indicator; and
 - v) Debt and Investment Strategy 2021/22 and associated criteria.
- (c) Treasury Management Policy Statement;
 - (d) Capital Strategy 2020-2025;
 - (e) Housing Revenue Account; and
 - (f) Medium Term Financial Strategy 2020-2025.
- 5.2 The Head of Paid Service is responsible for preparing North Northamptonshire Council's Pay Policy Statement for 2021/22, for consideration by the Shadow Executive Committee and approval by the Shadow Council at the same time as the budget is set.

6 Budget Setting for 2021/22

- 6.1 The revenue budget should reflect the corporate aims and priorities of the Shadow Council and is set in the context of the proposed Medium Term Financial Strategy.
- 6.2 The Section 151 Officer is responsible for preparing a balanced 2021/22 budget in accordance with the Local Government Act 1992, as amended, in particular by the Localism Act 2011. To achieve this the Section 151 Officer is responsible for:
- (a) preparing a 2020/21 budget strategy and timetable for engagement with: the Shadow Executive Committee, Shadow Council, other Member bodies, stakeholders and the public, for consideration by the Shadow Executive Committee;
 - (b) setting a timetable for receipt of local precept information from town and parish councils in the North Northamptonshire area;
 - (c) determining the detailed form of revenue estimates;
 - (d) consolidating the first draft 2021/22 budget from the budget information prepared by the existing councils;
 - (e) developing the draft budget, taking into account the revenue implications of the proposed capital programme and council tax harmonisation policy, to identify the budget gap and recommend ways to close this gap, in liaison with appropriate Member bodies, having regard for achieving best resources and value for money;
 - (f) undertaking consultation on the budget proposals and reporting the outcome of the consultation to the appropriate Member body for consideration;
 - (g) reporting the final draft budget, along with proposals to balance the budget and the outcome of the consultation, to the Shadow Executive Committee for consideration.

- 6.3 The Shadow Executive Committee must consider the draft budget and agree budget proposals which will be submitted to the Shadow Overview and Scrutiny Committee for review, before the end of January 2021.
- 6.4 The Shadow Executive Committee must make recommendations on the final, scrutinised, budget and council tax proposals to the Shadow Council for approval by the third week of February 2021.

7 Capital Programme

- 7.1 The Section 151 Officer is responsible for undertaking financial appraisals of schemes, if required, and collating the capital estimates to form the capital programme, identifying the required financing and taking into account the full year revenue effect of each scheme and report this to the Shadow Executive Committee.
- 7.2 The Shadow Executive Committee will make recommendations on the capital programme and on any associated financing requirements to the Shadow Council as part of the budget setting process.

8 Council Tax Base

- 8.1 Each of the existing billing authorities comprising the four district/borough councils (Borough Council of Wellingborough, Corby Borough Council, East Northamptonshire District Council and Kettering Borough Council) is responsible for calculating the council tax base for each of the towns and parishes within its administrative area and aggregating these figures to provide a council tax base for the district/borough in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.
- 8.2 The Section 151 Officer is responsible for:
- (a) aggregating the council tax base information provided by each of the districts and boroughs to create a council tax base for the administrative area of North Northamptonshire (the billing authority), in early December;
 - (b) promptly notifying the major preceptors and local preceptors of the relevant tax base for their purposes.

9 Setting the Council Tax

- 9.1 In order to raise sufficient council tax to meet the needs of North Northamptonshire Council, the major preceptors and local preceptors, the Section 151 Officer is responsible:
- (a) using the tax base to calculate the average band D council tax and all of the council tax bands for North Northamptonshire Council and each of the major and local preceptors in the billing authority's area in accordance with the Local Government Act 1992 (as amended) in particular by the Localism Act 2011;
 - (b) agreeing the council tax leaflet for inclusion with the bills, with the Leader of the Shadow Council;

- (c) promptly publishing the list of council tax bands once approved by the Shadow Council; and
- (d) applying any alternative notional amounts to the council tax comparators for 2020/21, when undertaking the comparison with the 2021/22 council tax, for the purposes of identifying if the council tax referendum limit has been breached. A statement as to the outcome of this calculation to be approved by the Shadow Council.

9.2 The Shadow Council is responsible for approving the council tax bands in respect of North Northamptonshire Council and the aggregation of the bands to arrive at the actual council tax chargeable in each town and parish area and the average council tax bands for the billing authority area.

10 Collection Fund

10.1 The Section 151 Officer is responsible for:

- (a) creating a Collection Fund for the North Northamptonshire Council area one day after the Shadow Authority sets the 2021/22 budget and council tax: and
- (b) undertaking council tax and national non-domestic rates billing, as soon as the Shadow Council has approved the council tax.

11 Reserves and Balances

11.1 Financial reserves and balances are maintained as a matter of prudence against unforeseen events and future contingencies. They will enable North Northamptonshire Council to provide for unexpected events and thereby protect it from future extraordinary expenditure and overspends. Reserves for specific known purposes are also maintained and it is reasonable to build reserves in anticipation of a known call on resources in future years.

11.2 The Section 151 Officer is responsible for advising the Shadow Executive Committee and Shadow Council on the prudent level of reserves and balances for North Northamptonshire Council as part of the annual budget setting process based on an assessment of risk.

11.3 The purpose, usage and basis of transactions must be clearly set out in respect of each of the reserves and balances held by North Northamptonshire Council.

12 Returns and Grant Claims

The Section 151 Officer is responsible for submission of all returns and grant claims in respect of North Northamptonshire Council prior to the 1 April 2021. These returns include:

- (a) CTB1 – Calculation of Council Tax Bases;
- (b) NNDR1 – National Non-Domestic Rates Return;
- (c) CTR1 – Council Tax Requirement Return;
- (d) RA – Revenue Account Form (to be submitted after 1st April 2021 and the responsibility of the unitary s.151 Officer); and

(e) Benefit Subsidy Claim

13 Financial Control

Under the Accounts and Audit Regulations 2015, the Section 151 Officer is responsible for ensuring that appropriate systems and financial controls are in place on the 1 April 2021 to provide effective management information, financial stewardship and control for North Northamptonshire Council.

14 Banking Arrangements

14.1 The Section 151 Officer is responsible for:

- (a) Identifying the bank accounts required and opening these accounts in the name of North Northamptonshire Council by the 1 April 2021;
- (b) Authorising bank signatories and setting up authorised accesses and roles;
- (c) Putting in place the arrangements required for the transmission of funds and collection of cash; and
- (d) Agreeing procedures for managing the transition from the existing bank accounts and banking arrangements to those of North Northamptonshire Council.

15 Treasury Management

The Section 151 Officer is responsible for putting in place all necessary arrangements to enable North Northamptonshire Council to invest or borrow monies on the 1 April 2021.

16 Insurances

The Section 151 Officer is responsible for putting in place adequate insurance arrangements for North Northamptonshire Council in readiness for the 1 April 2021.

17 Taxation

The Section 151 Officer is responsible for liaising with HM Revenues and Customs to obtain appropriate taxation and VAT reference numbers, including a separate PAYE reference for North Northamptonshire's Returning Officer.

18 Audit

The Section 151 Officer is responsible for ensuring appropriate audit arrangements are in place for the Shadow Council compliant with statute and good practise.

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Report Originator	Councillor Jonathan Ekins Paul Goult	<i>Fwd Plan Ref No:</i> N/A	
Wards Affected	ALL	5 th March 2020	
Title	Shadow Council – Code of Conduct		

1. PURPOSE OF REPORT

For Members to approve a draft Code of Conduct, for submission to the Shadow Council.

2. BACKGROUND

Under s.25 of the Structural Changes Order there is a requirement placed on the Joint Committee to formulate proposals for the code of conduct to be adopted by the shadow authority for North Northamptonshire and to present those proposals at the first meeting of the shadow authority.

The North Northamptonshire Joint Committee agreed at its meeting on 24th June 2019 to establish a working group to draw-up a draft Constitution for adoption by the Shadow Council. Any Code of Conduct would form part of the Council's Constitution.

Councillor Jonathan Ekins (NCC) was appointed Chair of the Working Group. The other members of the Group include – Cllr Bob Eyles (CBC), Cllr Andy Mercer (ENC), Cllr Lloyd Bunday (KBC) & Cllr Barry Graves (BCW). The Group is supported by officers from CBC, NCC, ENC & BCW.

The Group has met in Wellingborough on 8th August 2019, 3rd September 2019, 26th September 2019, 24th October 2019 & 13th February 2020.

3. REPORT

Whilst the primary task of the Working Group was to formulate a draft Code of Conduct, the Group has also considered other associated codes and documents.

The draft Code of Conduct follows the national guidelines and is similar to codes already adopted by principal authorities. The draft Code would govern Member behaviour whilst acting as a Shadow Councillor only. If a Member is also a member of another authority (e.g. county council, district etc) they will be governed by that councils adopted Code when undertaking that specific office.

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The Code includes –

- Nolan Principles of Public Life
- Part 1 – General Provisions
- Part 2 – Interests
- Part 3 – Related Documents (including arrangements for dealing with allegations of breaches in the Code)

In relation to “local choice” decisions, under s.16 of the draft Code, it is being suggested that the Gifts & Hospitality ceiling after which a written declaration should be made be £50.

It is further being suggested that the Monitoring Officer be permitted to approach the existing Independent Persons of the sovereign councils, to enquire whether they would be willing to allow their names to be forwarded to the Shadow Council for the purposes of compiling a list of Independent Persons for 2020/2021 only.

4. Financial Implications

There are currently no direct additional costs related to the work of the Working Group. Officer support will continue to be drawn from partner authorities.

5. Legal Implications

The Joint Committee is tasked under the Northamptonshire (Structural Changes) Order 2019 with compiling a draft Code of Conduct. Once agreed by the Committee this would be forwarded to the inaugural meeting of the Shadow Council for approval.

6. Conclusion

If the Joint Committee approve the draft Code of Conduct for submission to the inaugural meeting of the Shadow Council, the Committee’s obligations under s.8 of the Northamptonshire (Structural Changes) Order 2020 would be satisfied. The Code being presented to the Joint Committee is fairly standard. The Working Group has also drafted the following:-

- Officer/Member Protocol
- Rules for Pre-Election Publicity
- Rules on Politically Restricted Posts

These additional documents will be submitted to the Joint Committee at its meeting on 30th March 2020.

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7. RECOMMENDATION

- i) Approve the draft Code of Conduct for submission to the Shadow Council;
- ii) Delegate authority to the lead Monitoring Officer to contact existing Independent Persons to confirm their interest in acting in that capacity for the Shadow Council 2020/2021; and
- iii) Note that a further report will be submitted to the Joint Committee regarding the Officer/Member Protocol and other associated codes.

Appendices

Appendix 1 – Draft Code of Conduct

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NORTH NORTHAMPTONSHIRE SHADOW COUNCIL MEMBERS' CODE OF CONDUCT

The Members' Code of Conduct, adopted by the Shadow Council on 21st May 2020, is intended to promote high standards of behaviour amongst the elected and any co-opted members of the North Northamptonshire Shadow Council.

The Code is underpinned by the following seven Nolan principles of public life, which should be borne in mind when interpreting the meaning of the Code. Councillors should behave with:

- i. **Selflessness** – and act solely in terms of the public interest. They should not act in order to gain financial or other benefits for themselves, their family or their friends.
- ii. **Integrity** – and should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
- iii. **Objectivity** – in carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits; choices should be made on merit.
- iv. **Accountability** – and are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- v. **Openness** – and should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- vi. **Honesty** – and declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- vii. **Leadership** – and should promote and support these principles by leadership and example.

PART 1

GENERAL PROVISIONS

1. Introduction and Interpretation

- 1.1. This Code applies to all Councillors and any co-opted members (for example, members of a Standards Advisory Committee) for the North Northamptonshire Shadow Council.
- 1.2. The term “**the Authority**” used in this Code refers to North Northamptonshire Shadow Council.

- 1.3. **"Member "** means any person being an elected councillor or co-opted member of the North Northamptonshire Shadow Council and its committees and working groups.
- 1.4. It is **your** responsibility to comply with the provisions of this Code.
- 1.5. In this Code:
- "Meeting"** means any meeting of:
- (a) the Authority
 - (b) the executive of the Authority
 - (c) any of the Authority's or its executive's committees, sub-committees, joint committees, joint sub-committees, or area committees
 - (d) any of the Authority's advisory groups and executive boards, working parties and panels
- 1.6. **"Relevant Authority"** includes a County Council, a District Council or Parish Council. (It has the meaning given to it by Section 27(6) of the Localism Act 2011.)

2. Scope

- 2.1. This Code applies to you whenever you are act, claim to act or give the impression you are acting in your official capacity as a Member of the Authority.
- 2.2. Although, in accordance with the Localism Act 2011 this Code only applies to Members when they are carrying out their official duties, nevertheless, the Authority expects its Members to uphold high standards of conduct at all times in order to uphold the reputation of the Authority and the office to which they have been elected.
- 2.3. Where you act as a representative of the Authority:-
- (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
 - (b) on any other body, you must, when acting for that other body, comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

3. General Obligations

- 3.1. **You must treat others with respect.**
- 3.2. **You must not:**
- (a) do anything which may cause the Authority to contravene UK equalities legislation

- (b) bully or harass any person¹
- (c) intimidate or attempt to intimidate any person who is or may be:
 - (i) a complainant
 - (ii) a witness; or
 - (iii) involved in the administration of this Code

in relation to an allegation that a Member (including yourself) has failed to comply with this Code of Conduct, do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Authority

- (d) conduct yourself in a manner which could reasonably be regarded as bringing your office or the Authority into disrepute
- (e) engage in making trivial or malicious allegations against other persons.

4. You must not:

4.1. Disclose or pass on information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, unless:

- (a) you have the consent of a person authorised to give it
- (b) you are required by law to do so
- (c) the disclosure is made to a third party for the purpose of obtaining professional advice, provided that they agree not to pass on the information to any other person; or
- (d) the disclosure is:
 - (i) reasonable and in the public interest; and
 - (ii) made in good faith and in compliance with the reasonable requirements of the Authority; or
- (e) Prevent another person from gaining access to information to which that person is entitled by law.

¹ For the purposes of this code,

- a) Bullying is defined as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means which undermine, humiliate, denigrate or injure the recipient(ACAS guide for managers and employers – bullying and harassment at work
- b) Harassment is defined in the Equality Act 2010 as unwanted conduct related to a protected characteristic which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Bullying and harassment can be conducted face to face, through written and electronic communication, by telephone or by the distribution of images and messages to third parties.

5. You must not:

- 5.1. Use or attempt to use your position as a Councillor improperly to confer on, or secure for yourself or any other person, an advantage or disadvantage;

6. You must:

- 6.1. When using, or authorising the use by others of, the resources of the Authority:

- (a) act in accordance with the Authority's reasonable requirements;
- (b) ensure that such resources are not used improperly for political purposes (including party political purposes); and

- 6.2. Have regard to any Local Authority Code of Publicity made under the Local Government Act 1986.

7. 7.1 When taking decisions, pay due regard to the advice of officers and in particular to the advice of statutory officers, namely the Head of Paid Service, the Chief Financial Officer (s151 officer) and the Monitoring Officer where that officer is acting in that role.

- 7.2 You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Authority.

PART 2

INTERESTS

8. Registration of Interests

- 8.1 Within 28 days of this Code being adopted by your authority or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Appendix A (Disclosable Pecuniary Interests) and Appendix B (Other Registerable Interests).

- 8.2 You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest in Appendix A or B, or of any change to a registered interest, notify the Monitoring Officer in writing

9. Disclosable Pecuniary Interests

Where a matter arises at a meeting which **relates to** an interest in Appendix A, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation.

10. Other registerable interests

Where a matter arises at a meeting which **relates to** an interest in Appendix B, you must declare the interest. You may speak on the matter only if members of the

public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

11. Non-registerable interests

11.1 Where a matter arises at a meeting which **relates to** your own financial interest (and is not a Disclosable Pecuniary Interest) or **relates to** a financial interest of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

11.2 a) Where a matter arises at a meeting which **affects** your own financial interest or a financial interest of a relative, friend, close associate or body covered by Appendix B you must disclose the interest;

and

b) Where the matter referred to in paragraph 11.2a) affects the financial interest to a greater extent than if affects the financial interests of the majority of inhabitants of the area affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you must not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

12. Sensitive Interests

Where you consider (and the Authority's Monitoring Officer agrees) that the nature of a Disclosable Pecuniary Interest, or other interest is such that disclosure of the details of the interest could lead to you or a person connected with you being subject to intimidation or violence, it is a "sensitive interest" for the purposes of the Code. The details of the sensitive interest do not need to be disclosed to a meeting, although the fact that you have a sensitive interest must be disclosed.

13. Single Member Action

If you are empowered to discharge functions of the Authority acting alone (for example, through being a Shadow Executive Committee Member), and:

- a) have and are aware that you have a Disclosable Pecuniary Interest in any matter to be dealt with by you in that role, you must not take any action, or further action, on the matter (except for the purposes of enabling the matter to be dealt with by other means);
- b) have and are aware that you have an interest in any matter dealt with by you in that role, which relates to an interest in Appendix B ('Other Registerable Interest'), you must not take any action, or further action, on the matter (except for the purposes of enabling the matter to be dealt with by other means);
- c) the matter to be dealt with by you in that role **relates to** your own financial interest (and is not a Disclosable Pecuniary Interest) or **relates to** a financial interest of a relative, friend or close associate, you must not take

any action or further action on the matter (except for the purposes of enabling the matter to be dealt with by other means) and you must notify the Monitoring Officer;

- d) the matter to be dealt with by you in that role **affects** your own financial interest or a financial interest of a relative, friend close associate or body covered by Appendix B, you must notify the Monitoring Officer before taking any action or further action, and if the matter affects the financial interest to a greater extent than it affects the financial interests of the majority of inhabitants of the area affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you must not take any action or further action.

14. Exemptions and Dispensations

Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a pecuniary interest that relates to the functions of the Council, namely -

- i) Housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease
- ii) Schools meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education or are a parent governor of a school, unless it relates particularly to the school which the child attends
- iii) Statutory sick pay under Part XI of the Social Security Contributions and Benefits Acts, where you are in receipt of or entitled to the receipt of such pay
- iv) An allowance, payment or indemnity given to members
- v) Any ceremonial honour given to members and
- vi) Setting council tax or a precept under the Local Government Finance Acts

Any specific dispensation provided by the authority shall be provided in writing by the Monitoring officer and shall endure for a maximum period of twelve months from the date of issue. It may be renewable.

15. Overview and Scrutiny Committees

In any business before an overview and scrutiny committee where that business relates to a decision made by the Executive or any other committee of the Council, and at the time of the decision, you were a member of the Executive or relevant committee and you were present when that decision was made or action taken, then you may attend a meeting of the overview and scrutiny committee for the purpose of answering questions or giving evidence relating to the business and you must leave the room after making representations, giving evidence or answering questions

16. Gifts and Hospitality

You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value of £50 or more (on one occasion or from the same donor within a 12-month period), which you have accepted as a member from any person or body other than the authority. You should also disclose the offer of gifts and hospitality that you have been offered of £50 or more and did not accept.

The Monitoring Officer will place your notification on a public register of gifts and hospitality.

Notes -

If you are unsure whether to accept any gift or hospitality, where practicable, seek the advice of the Monitoring Officer beforehand.

If you receive gifts or hospitality from the same source under £50 on more than one occasion in a 12-month period, that cumulatively exceed £50, then you should declare all occasions.

Councillors may declare any gift or hospitality received if they wish.

APPENDIX A – DISCLOSABLE PECUNIARY INTERESTS

1. Breaches of the rules relating to Disclosable Pecuniary Interests may lead to criminal sanctions being imposed.
2. You have a Disclosable Pecuniary Interest if it is of a description specified in regulations made by the Secretary of State and either:
 - (a) it is an interest of yours, or
 - (b) it is an interest of:
 - (i) your spouse or civil partner
 - (ii) a person with whom you are living as husband and wife, or
 - (iii) a person with whom you are living as if you were civil partners and you are aware that that other person has the interest.
3. Disclosable Pecuniary Interests are:

<u>INTEREST</u>	<u>DESCRIPTION</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on by you for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a Member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you (or a body in which you have a beneficial interest) and the Authority (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the Authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Authority for a month or longer.

Corporate tenancies	Any tenancy where (to your knowledge) <ul style="list-style-type: none"> (a) the landlord is the Authority; and (b) the tenant is a body in which you have a beneficial interest.
Securities	Any beneficial interest in securities of a body where: <ul style="list-style-type: none"> (a) that body (to your knowledge) has a place of business or land in the area of the Authority; and (b) either <ul style="list-style-type: none"> (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) where the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of a registered society within the meaning given by section 1(1) of the co-operative and community benefit Societies Act 2014, other than a society registered as a credit union.

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

APPENDIX B

1. Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority;
2. Any body-
 - (a) exercising functions of a public nature;
 - (b) directed to charitable purposes; or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)of which you are a member or in a position of general control or management;
3. Any gifts or hospitality worth more than an estimated value of £50 which you have received by virtue of your office.

PART 3

RELATED DOCUMENT

Arrangements for dealing with alleged breaches of the Shadow North Northamptonshire Council's Members' Code of Conduct.

1. Context

These "Arrangements" set out how you may make a complaint that a Member of this Shadow Council has failed to comply with the Shadow Council's Members' Code of Conduct, and sets out how the authority will deal with it.

These Arrangements include the appointment of at least one Independent Person, whose views must be sought by the authority before it takes a decision on an allegation which it has decided warrants investigation, and whose views can be sought by the authority at any other stage, or by a Member against whom an allegation has been made.

2. The Code of Conduct

The Shadow Council has adopted a Code of Conduct for Members, which is attached as Appendix A to these arrangements and is available for inspection on request and is on the Shadow Council's website.

3. Making a complaint

If you wish to make a complaint, please write to:

The Monitoring Officer

[XXXX]

or e-mail the Monitoring Officer at:

xxxx@xxxx

The Monitoring Officer is a senior officer of the Shadow Council who has statutory responsibility for maintaining the Register of Members' Interests and who is responsible for administering the process in respect of complaints of alleged Member misconduct.

In order to ensure that we have all the information which we need to be able to process your complaint, please use the complaint form, which is available on request and can be downloaded from the Shadow Council's website, next to the Code of Conduct.

You are required to provide us with your name and a contact address or email address, so that we can acknowledge receipt of your complaint and keep you informed of its progress. If you want to keep your name and address confidential, please indicate this in the space provided on the complaint form, in which case we will not disclose your name and address to the Member against whom you make the

complaint, without your prior consent. The authority does not normally investigate anonymous complaints, unless there is a clear public interest in doing so.

The Monitoring Officer will acknowledge receipt of your complaint as soon as possible after receiving it and will keep you informed of the progress of your complaint.

4. Initial Assessment of Complaints Received

The Monitoring Officer will review all complaints received by the authority and must consult with the Independent Person (see section 13 below) at this stage. If a complaint has been made but does not fall within the scope or intent of these arrangements, the Monitoring Officer may still decide to take informal action in order to resolve the matter. In assessing the complaint the Monitoring Officer will determine whether the complaint is admissible and, if so, decide whether:

- a) it warrants investigation or,
- b) it may be suitable for alternative resolution without investigation or,
- c) it does not warrant any further action.

For the complaint to be admissible it must be in a legible format and relate to an existing Member of the Shadow Council.

In determining whether or not the complaint should be referred for investigation or to seek alternative resolution the Monitoring Officer and Independent Person will have regard to a range of factors including the following:-

- i) Whether there is sufficient information upon which to base a decision;
- ii) How serious is the alleged complaint;
- iii) Is the complaint politically motivated, vexatious or “tit for tat”;
- iv) Did the action complained about occur recently or not;
- v) Do the allegations relate to actions occurring whilst the Member was acting in their official capacity or do they relate to their private life;
- vi) Whether the matter is considered suitable for alternative resolution and whether either the Member concerned or the complainant is not prepared to accept this as a solution.

The initial assessment of the complaint will be held as soon as possible after receipt of your complaint and you will be informed, in writing, of the outcome by the Monitoring Officer. You will be informed on progress throughout the process.

Unless exceptional circumstances exist that indicate otherwise, the Monitoring Officer will inform the Member concerned of the receipt and nature of the complaint and invite their comments.

Where the Monitoring Officer requires additional information in order to come to a decision, they may come back to you for such information, and may request information from the Member against whom your complaint is directed.

Alternative Resolution

In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. The Monitoring Officer must consult with the Independent Person about this course of action. Such informal resolution may involve the Member accepting that their conduct was unacceptable and offering an apology, or other remedial action by the authority. Where the Member or the authority makes a reasonable offer of informal resolution, but you are not willing to accept that offer, the Monitoring Officer (and Independent Person) will take account of this in deciding whether the complaint warrants a formal investigation.

If your complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer has the power to call in the Police and other regulatory agencies.

5. If the Complaint is referred for Investigation how is the investigation conducted?

If the Monitoring Officer decides that a complaint merits formal investigation, they will appoint an Investigating Officer, who may be another senior officer of the Shadow Council, an officer of another authority or an external investigator. The Monitoring Officer will agree an investigation plan with the Investigating Officer. The Investigating Officer will decide whether they need to meet or speak to you to understand the nature of your complaint. If so, then you can explain your understanding of events and suggest what documents the Investigating Officer needs to see and who the Investigating Officer needs to interview. The Monitoring Officer will consult with the Independent Person about the need for a formal investigation.

The Investigating Officer would normally write to the Member against whom you have complained and provide them with a copy of your complaint. The Member would be asked to provide their explanation of events. The Investigating Officer will identify what documents they need to see and who they need to interview. In exceptional cases, where it is appropriate to keep your identity confidential, or disclosure of details of the complaint to the Member might prejudice the investigation, the Monitoring Officer can delete your name and address from the papers given to the Member, or delay notifying the Member until the investigation has progressed sufficiently.

At the end of their investigation, the Investigating Officer will produce a draft report and will send copies of that draft report, in confidence, to you and to the Member concerned, to give you both an opportunity to identify any matter in that draft report which you disagree with or which you consider requires further consideration.

Having received and taken account of any comments which you may make on the draft report, the Investigating Officer will send it to the Monitoring Officer.

6. What happens if the Investigating Officer concludes that there is no evidence of a failure to comply with the Code of Conduct?

The Monitoring Officer will, in consultation with the Independent Person, review the Investigating Officer's report and, if they are satisfied that the Investigating Officer's report is sufficient, the Monitoring Officer will write to you and to the Member concerned, notifying you that no further action is required.

7. What happens if the Investigating Officer concludes that there is evidence of a failure to comply with the Code of Conduct?

The Monitoring Officer will, in consultation with the Independent Person, review the Investigating Officer's report and will then either send the matter for local hearing before the Hearings Panel made up of Councillors from the Council's Standards Committee or seek an alternative resolution.

7.1 Local Resolution

The Monitoring Officer and Independent Person may consider that the matter can be resolved without the need for a hearing. Such resolution may include the Member accepting that his/her conduct was unacceptable and offering an apology, and/or other remedial action by the authority. If the Member complies with the suggested resolution, the Monitoring Officer will report the matter to the Standards Committee for information, but will take no further action.

7.2 Local Hearing

If the Monitoring Officer and Independent Person consider that local resolution is not appropriate or it isn't possible to achieve, the Monitoring Officer will report the Investigating Officer's report to the Hearings Panel which will conduct a local hearing to decide whether the Member has failed to comply with the Code of Conduct and, if so, whether to take any action in respect of the Member.

In summary, the Monitoring Officer will conduct a "pre-hearing process", requiring the Member to give their response to the Investigating Officer's report. This is in order to identify what is likely to be agreed and what is likely to be contentious at the hearing. The Chair of the Hearings Panel may issue directions as to the manner in which the hearing will be conducted. At the hearing, the Investigating Officer will present their report, call such witnesses as they consider necessary and make representations to substantiate their conclusion that the Member has failed to comply with the Code of Conduct. For this purpose, the Investigating Officer may ask you as the complainant to attend and give evidence to the Hearings Panel.

The Member will then have an opportunity to give their evidence, to call witnesses and to make representations to the Hearings Panel as to why they consider that they did not fail to comply with the Code of Conduct.

The Hearings Panel, with the benefit of any advice from the Independent Person, may conclude that the Member did not fail to comply with the Code of Conduct and so dismiss the complaint. Alternatively, if the Hearings Panel finds that the Member did fail to comply with the Code of Conduct, the Chair will inform the Member of this finding and the Hearings Panel will then consider what action, if any, the Hearings Panel should take as a result of the Member's failure to comply with the Code of Conduct. In doing this, the Hearings Panel will give the Member an opportunity to make representations to the Panel and will consult the Independent Person.

If the Member wishes to make representations to the Panel and/or consult with the Independent Person the Hearing will adjourn, normally for one week, and reconvene to hear any representation or statement from the Member before either confirming or amending their decision. If the Member does not wish to make representations to the Panel, or consult with the Independent Person, the decision of the Panel will stand as announced.

8. What action can the Hearings Panel take where a Member has failed to comply with the Code of Conduct?

The Hearings Panel may:

- 8.1 Publish its findings in respect of the Member's conduct;
- 8.2 Report its findings to the Council for information;
- 8.3 Recommend that Council remove the Member from any or all Committees or Sub-Committees of the Shadow Council for a specified period of time;
- 8.4 Recommend to the [authority that nominated the Member to the Shadow Executive Committee] [Leader of the Council] that the Member be removed from the Shadow Executive Committee, or recommend to the Leader of the Council that the Member be removed from any particular delegated responsibilities they may have for a specified period of time;
- 8.5 Instruct the Monitoring Officer to arrange training for the Member;
- 8.6 Instruct the Monitoring Officer to mediate between the complainant and the Member;
- 8.7 Recommend to Full Council that the Member be removed from any or all outside appointments to which they have been appointed or nominated by the authority where the complaint relates to that appointment and for a specified period of time;
- 8.8 Recommend to Full Council the withdrawal of any facilities provided to the Member by the Council that may have been abused or improperly used; or
- 8.9 Recommend to Full Council the exclusion of the Member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.

There are no powers that allow Council or the Standards Committee to suspend or disqualify the Member or to withdraw Members' basic allowances. (Although, removing a Member from the Shadow Executive Committee or other Committee would lead to a loss of any Special Responsibility Allowance that position was entitled to for the period of the suspension.)

9. What happens at the end of the hearing?

At the end of the hearing, the Chair will state the decision of the Hearings Panel as to whether the Member failed to comply with the Code of Conduct and as to any actions which the Hearings Panel resolves to take.

As soon as reasonably practicable thereafter and subject to any adjournment as set out in 7.2 above, the Monitoring Officer shall prepare a formal decision notice in consultation with the Chair of the Hearings Panel and send a copy to you and to the Member. The decision notice will be made available for public inspection after 20 working days have elapsed from the date the decision notice was issued (provided there has not been a request for a review under paragraph 10 of these Arrangements) and the decision reported to the next convenient meetings of the Standards Committee and of the Council.

10. Appeals and Reviews

There is no right of appeal for you as complainant or for the Member against a decision of the Monitoring Officer.

However, a review of the decision of the Hearings Panel may be sought by you or the Member concerned in the following circumstances:

- a) where you or the Member concerned consider that the Local Hearing was not conducted in accordance with the process set out in these Arrangements or the principles of natural justice (see paragraph 15 below); or
- b) where significant new evidence is available which has not been considered by the Hearings Panel.

Any such request for a review should be made to the Monitoring Officer in writing (by letter or e-mail) within 20 working days from the date the decision notice was issued to the parties and:

- if made pursuant to paragraph a) above, must set out specifically how it is considered the Local Hearing was not conducted in accordance with the process set out in these Arrangements or the principles of natural justice; or
- if made pursuant to paragraph b) above, must include copies of the new evidence or explain what the evidence is.

The Monitoring Officer may reject the request for a review if after consultation with the Independent Person they conclude that substantive reasons have not been

provided to support the request or the further evidence provided is insufficient to support a request for a review. Simply expressing disagreement with the Hearings Panel's decision or repeating the original complaint will result in the request for review being rejected. If the request for review is rejected you and the Member will be advised in writing of the reasons for rejection.

If a request for a review is received (provided it is not rejected), the Monitoring Officer will notify the complainant and Member concerned and convene a meeting of the Review Panel.

The Review Panel will review the Hearings Panel's decision. The Review Panel will have the documentation considered by the Hearings Panel and the decision notice of the Hearings Panel before it. It will not conduct a re-hearing. It will only consider the request for the review, (including any new evidence presented with the request for review) together with the complainant or subject Member's response to the request for the review and response to any new evidence. The Review Panel will also have the discretion to re-hear any of the original evidence if it considers this necessary.

The Review Panel will either:

- confirm the original decision of the Hearings Panel; or
- disagree with the original decision of the Hearings Panel and substitute its own decision (which may only be a decision that was open to the Hearings Panel).

At the end of the review, the Chair of the Review Panel will explain the Review Panel's reasons for its decision. Within 5 working days of the decision of the Review Panel, the Monitoring Officer shall prepare a formal decision notice in consultation with the Chair of the Review Panel and send a copy to you and to the Member. The decision notice will be made available for public inspection and will be reported to the next convenient meeting of the Standards Committee and the Council.

Unless in the opinion of the Monitoring Officer in consultation with the Independent Person exceptional circumstances exist, the Review Panel must make a decision within two calendar months of the receipt of the request for a review.

There is no right of appeal of the decision of the Review Panel which is final.

If you feel that the authority has failed to deal with your complaint properly, you may make a complaint to the Local Government Ombudsman or take your own legal advice as to options that might be open to you.

11. Who are the Hearings Panel?

The Hearings Panel is a panel of the Council's Standards Committee. It will comprise three Members of the Standards Committee.

The Independent Person is invited to attend all meetings of the Hearings Panel and their views are sought and taken into consideration before the Hearings Panel takes any decision on whether the Member's conduct constitutes a failure to comply with

the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

12. Who are the Review Panel?

The Review Panel is a panel of the Council's Standards Committee. It will comprise three Members of the Standards Committee who did not sit on the Hearings Panel, have not previously been involved in the matter concerned and who do not otherwise have any conflict of interest.

The Independent Person is invited to attend all meetings of the Review Panel and their views are sought and taken into consideration before the Review Panel takes any decision on whether the Member's conduct constitutes a failure to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

13. Who is the Independent Person?

The Shadow Council has appointed Independent Persons.

A person cannot be "independent" if they:

- 13.1 are, or have been within the past five years, a Member, co-opted Member or officer of the authority or of a parish council within the authority's area; or
- 13.2 are a relative or close friend, of a person within paragraph 13.1. For this purpose, "relative" means:
 - (a) the other person's spouse or civil partner;
 - (b) living with the other person as husband and wife or as if they were civil partners;
 - (c) a grandparent of the other person;
 - (d) a lineal descendant of a grandparent of the other person;
 - (e) a parent, sibling or child of a person within paragraphs (a) or (b);
 - (f) the spouse or civil partner of a person within paragraph (c), (d) or (e);
or
 - (g) living with a person within paragraph (c), (d) or (e) as husband and wife or as if they were civil partners.

14. Being accompanied at a Local Hearing or Review Panel meeting

Both you and the Member you complained about may choose to bring another person with you to the Local Hearing and any Review Panel meeting (if one takes place) to support you. It shall be a matter for the Chair of the Hearings Panel and the Chair of the Review Panel to issue directions as to the manner in which the supporting person may participate in the Local Hearing/Review Panel meeting, to

ensure there is a balance between a party's need to be supported and the need for the Hearings Panel and/Review Panel to conduct its business fairly and efficiently.

15. Principles of Natural Justice

For the avoidance of doubt, it is expressly stated that the procedures in these arrangements must be conducted in accordance with the principles of natural justice. In summary, in the context of these Arrangements, the principles of natural justice mean that each party has the right to a fair hearing, the right to make their case to an impartial person/group of people, and that the decision makers in this process act without bias or apparent bias, act impartially and do not create any procedural irregularities.

16. Revision of these arrangements

The Council may by resolution agree to amend these arrangements and has delegated to the Chair of the Hearings Panel (and the Chair of the Review Panel in cases where there is a review), the right to depart from these arrangements where they consider that it is expedient to do so in order to secure the effective and fair consideration of any matter.

PART 4

GENERAL DISPENSATIONS

- i) That a General Dispensation be granted to all current Members of the Council to speak and vote on matters set out as below for a period of four years from the date of this decision –

Housing – where the Councillor (or spouse or partner) holds a tenancy or lease with the Council as long as the matter does not relate to the Councillor's particular tenancy or lease;

Statutory sick pay – if a Councillor receives this or is entitled to receive it;

An **Allowance, travelling expense, payment or indemnity** for Councillors;

Any **ceremonial honour** given to Members;

Setting the **Council Tax** or any **Precept**;

In addition - General Dispensation be granted for the following decisions which will in the future be made by the Council as a result of the change in relevant legislation:

- Setting the local council tax support scheme for the purposes of the Local Government Finance Act 2012 as amended from time to time or any superseding legislation; and
- Setting a local scheme for the payment of business rates, including eligibility for rebates and reductions, for the purposes of the Local Government Finance Act 2012 as amended from time to time or any superseding legislation.

- ii) That delegated authority be granted to the local Standards Committee to grant dispensations, or when it is not expedient to wait until the next scheduled Council, Committee or Sub-Committee meeting, that the Monitoring Officer in consultation with the Chair of the local Standards Committee have delegated powers to do so.

Committee	Joint Committee	Item 12	Page 1 of 3
Report Originator	George Candler	<i>Fwd Plan Ref No:</i> N/A	
Wards Affected	ALL	5 th March 2020	
Title	Location for Shadow Council Meetings		

1. PURPOSE OF REPORT

The purpose of this paper is to outline the recommended location for the North Northamptonshire Shadow Council meetings.

2. BACKGROUND

2.1 There is a requirement within the Structural Changes Order to hold a Shadow Council meeting within 14 calendar days of the day of the elections (7th May 2020).

2.2 In planning and considering a proposed location a number of administrative and logistical factors were considered. These are covered in detail in Appendix 1 but included:

- Members' accommodation will need to be ready to hold full Council meetings for the Shadow Authority on or before 21st May 2020.
- The full Council meetings will need to accommodate 78 Members plus officers, public and press observers.
- There will need to be delegate units in sufficient quantity or an appropriate substitute.

2.3 There were also a number of assumptions considered, again covered in detail in Appendix 1 but included:

- The building where full Shadow Council meetings are held will not necessarily be the new named HQ location of the Unitary Authority going forward.
- The Executive Committee and Committees of the Shadow Council will be of a more easily manageable membership size and could either be held in existing local authority meeting rooms or in the same building allocated for full Council meetings.

3. REPORT

3.1 In selecting the venue both 'internal' (Councils' owned) and external venues were considered. After due consideration of options presented at a workshop session (see Appendix 1), the four Leaders of the Borough Council of

NORTH NORTHAMPTONSHIRE

Committee	Joint Committee	Item 12	Page 2 of 3
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Wellingborough (BCW), Corby Borough Council (CBC), East Northamptonshire Council (ENC) and Kettering Borough Council (KBC) had, by majority, a preference for Kettering Conference Centre that best meet the needs of the full council meetings

3.2 It was also agreed at the workshop that delegate units would need to be hired for the Shadow Council meetings.

3.3 In terms of webcasting, paperless meetings and electronic voting, the four Leaders preference was that this was not required at this stage, but will be a future decision for the Shadow Council once elected.

3.4 In regard to the Executive Committee meetings (in effect holding the same status as a Cabinet in a Shadow Council), the preference agreed at the workshop was that they would rotate between each of the main local authority buildings in North Northamptonshire:

- Swanspool House, Wellingborough
- The Corby Cube, Corby
- East Northamptonshire House, Thrapston
- Municipal Offices, Kettering

There will also be a number of other committee meetings held by North Northamptonshire Shadow Council (e.g. Overview and Scrutiny, Standards Committee) and it was felt that as with the Executive Committee these would make use of existing committee rooms in each of the four buildings detailed in 3.4

3.5 It was also noted a members' room and office(s) should be available in each of the main council buildings for the new Shadow Council.

4. FINANCIAL IMPLICATIONS

4.1 Costs are still being evaluated. Once assessed they will be reflected in status updates to the Budget Monitoring Reports.

5. LEGAL IMPLICATIONS

5.1 There are no legal implications to consider.

6. CONCLUSION

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- 6.1 A range of internal and external venues were reviewed as possible sites for the Shadow Council meeting. The Kettering Conference Centre was, by majority, the preference of the Leaders from BCW, CBC, ENC and KBC. It was also agreed that delegate units should be hired.

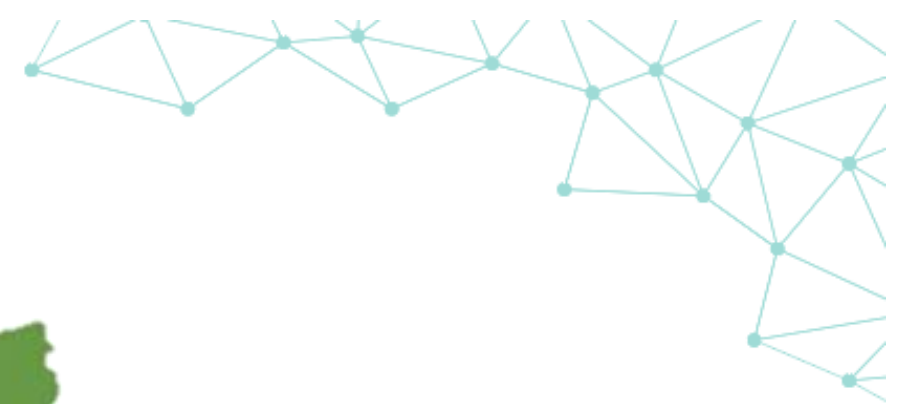
7. RECOMMENDATION

That following a workshop session with the Leaders from BCW, CCC, ENC and KBC (see appendix 1):

- (a) the selection of the Kettering Conference Centre, as the location of the North Northamptonshire Shadow Council meetings, be approved; and
- (b) all other committee meetings that will be required for North Northamptonshire Shadow Council will make use of existing rooms in the four sovereign council buildings.

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Members' Accommodation for the Shadow Authorities – North Northamptonshire



Overview

- The Growth Infrastructure & Public Estates Leader's Briefing session presented a number of questions to Leaders of the North Northamptonshire sovereign councils.
- The aim of the session was to gain agreement on an interim location for Shadow authority Members to hold full council meetings.
- The reason for the urgency of a decision is that the cost to repurpose or modify a space to hold meetings is likely to fall under procurement rules which can necessitate a lengthy tendering process.
- A matrix outlining potential options was presented to the Leaders to help enable the discussion.



What we know - logistical and admin requirements

- The Member's accommodation will need to be ready to hold full Council meetings for the Shadow Authority by 21st May 2020.
- The Member's accommodation for the Shadow Authority will need space for:
 - 78 Members
 - Officers and members of the press and public
- A building(s) to host the Executive Committee meetings (assume meeting space to hold 30)
- A building(s) to host future Committee meetings
- Delegate units in sufficient quantity or an appropriate substitute
- Webcasting arrangements, if required
- Arrangements for recording votes
- Electronic hosting of paperwork
- Democratic Services support for the Shadow Council



Assumptions

- The building(s) where full council meetings are held may not necessarily be the new named HQ for the unitary going forward
- In the short term (May – Sept) the council meetings will be in a space but the support services could be provided by an authority in a different location.
- The Executive Committee and Committees of the Shadow Council will be of a more easily manageable membership size, and could either be held in existing large meeting rooms in existing buildings or in the same building allocated for full council meetings
- Commercial venues are included in the options to ensure geographical reach
- That the full Council meetings will be open, transparent and modern; i.e. willing to consider the adoption of:
 - Webcasting (subject to cost)
 - Social media as a communications channel
 - Paperless meetings
- Costs will need to be carefully managed therefore ‘internal’ venues and equipment may be preferred if the costs including any necessary modifications are lower than an external option. This could include considering the use of large Council owned venues such as leisure centres as an interim measure.
- Delegate units will not be readily available in sufficient quantity and will therefore need to be procured and budgeted for. Consideration needs to be given, set against timescales of hire versus purchase for the new Unitary Council going forward



Timeline

- Paper on the agreed approach to Joint Committees: March 2020
- Elections: 7th May
- First full council meeting on or before 21st May
- First Executive Committee meeting on or before 4th June



- The following questions were posed to Leaders of the **NORTH** Districts and Boroughs regarding the interim Shadow accommodation;
- Is there a preference for an internal Council-owned venue?
 - Not specifically. The options of East Northamptonshire House, Corby Cube and Kettering Conference Centre (external) were given preference. Further work to understand venue capability was required before a decision was made.
- Is there a preference to hire or buy equipment/furniture?
 - The more cost effective solution is preferable. More detailed costings were required
 - Is the preference towards low cost repurposing/modification?
 - Yes, value for money is a key consideration.
- What are the minimum access needs for council meetings?
 - Member car parking essential (however consideration should be given to any loss of income for internal venues as a result). A geographically central location is desirable.
- One venue for both to share or separate sites?
 - No desire to share a site in the West. The North Shadow meetings must be held in a location in the new North authority.
- Does the office space for supporting Officers need to be the same location as the Council meetings?
 - No, not necessarily.
- Should council meetings aim to be paperless ?
 - No. This is a decision for the new authorities to take forward.
- Minimal technical equipment or fully IT enabled e.g. Web casting voting buttons (individual units or sharing)?
 - Delegate units are crucial. Web casting of meetings is non essential but a nice to have.
- Just for Shadow Council meetings or also use for Shadow Executive meetings?
 - Depending on scheduling availability, a rotation of the Executive meetings across the North is preferable.

North Northamptonshire : Interim Accommodation for Shadow Councils - Recommendations

Following the guidance from the Leaders' workshop it was requested that further analysis was undertaken of 3 preferred sites – East Northamptonshire, Corby Cube and the Kettering Conference Centre. The analysis was subsequently provided to the Leaders who made the following recommendations:

- Kettering Conference Centre was selected as the **recommended** option for the Shadow Council meetings.
- It was also requested that the Kettering Conference Centre should be bulk booked for the rest of the year and that costs should be negotiated down further due to the additional bookings

Following guidance from the Leaders it was also **recommended** that:

- Delegate units are hired for the Shadow Council meetings.
- Options for webcasting, paperless offices and electronic voting are not required at this stage – this will be a future decision for the Shadow Council.
- Executive Committee meetings to rotate between each of the main buildings in North Northamptonshire.
- A Members room and office(s) should be available in each of the main council buildings for the new Shadow Council.

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