

Meeting: North Northamptonshire Shadow Authority
Date: Thursday, 4 June 2020
Time: 7:00 pm
Venue: Virtual meeting

Members of the North Northamptonshire Shadow Authority are summoned to attend a meeting to consider the items of business listed on the agenda below:


The meeting will be available for the public to view live at the 'Democratic Services North Northants' youtube channel:-

https://www.youtube.com/channel/UCcH_JAaHaMtgHDeMQEVXi2g/videos

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Item		Page no.
01	Open Meeting: Paul Parsons Esq., High Sheriff of Northamptonshire	
02	Election of Chairman	
03	Apologies for non-attendance	
04	Members' Declarations of Interest	
05	Constitution and Code of Conduct for the North Northamptonshire Shadow Authority To adopt a Constitution and Member Code of Conduct for the North Northamptonshire Shadow Authority. Report of the North Northamptonshire Joint Committee Governance Task and Finish Group.	3 - 5
06	Appointment of Vice-Chairman	
07	Designation of Interim Statutory Officers to the Shadow North Northamptonshire Unitary Authority Report of the Appointments Panel.	6 - 8
08	Committee Proportionality and Appointment of Members to Committees (i) To create a Leader and Cabinet Executive within the meaning of Part 1A of the Local Government Act 2000(a) (arrangements with respect to local authority governance) ("the shadow	9-12

	<p>executive”).</p> <p>(ii) To receive the names of members of the Shadow Executive Committee</p> <p>(iii) To receive the names of the Leader and the Deputy Leader of the Conservative group.</p> <p>(iv) To receive the names of the Leader and the Deputy Leader of the Labour group.</p> <p>(v) To receive the names of the Leader and the Deputy Leader of the Independent group.</p> <p>(vi) To receive the names of the Leader and the Deputy Leader of the Liberal Democratic group.</p> <p>(vii) To constitute and decide on the allocation of places on committees between the political groups in accordance with the political balance requirements of the Local Government and Housing Act 1989.</p> <p>(viii) To appoint Committee Chairmen, Deputy Chairmen and members.</p> <p>Report of the Interim Monitoring Officer.</p>	
09	<p>Appointment of Independent Remuneration Panel – Members’ Allowances Scheme</p> <p>Report of the Interim Monitoring Officer.</p>	13 - 16
10	<p>Adoption of Calendar of Meetings</p> <p>To agree meeting dates for 2020-21.</p> <p>Report of the Interim Monitoring Officer.</p>	17 - 19
11	<p>Urgent Items</p> <p>To consider any items of business of which notice has been given to the Proper Officer prior to the first meeting of the Shadow Authority and the Chairman considers to be urgent pursuant to the LGA 1972.</p>	
	<p>Theresa Grant, Chief Executive, Northamptonshire County Council</p> <p></p> <p>Proper Officer 27th May 2020</p>	

NORTH NORTHAMPTONSHIRE SHADOW AUTHORITY

SHADOW AUTHORITY MEETING

4th June 2020

Report of the North Northamptonshire Joint Committee Governance
Task and Finish Group.

Report Title	Constitution and Code of Conduct for the North Northamptonshire Shadow Authority
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1. Purpose

1.1 The purpose of this report is to present for approval the draft Constitution (including a draft Code of Conduct) of the North Northamptonshire Shadow Authority.

2. Recommendations

It is recommended that the Shadow Authority:

- i) Notes the work undertaken by the North Northamptonshire Joint Committee's Governance Working Group;
- ii) Approves the draft Constitution for the Shadow Authority as attached at Appendix 1;
- iii) Approves the draft Code of Conduct for Members included within the Constitution;
- iv) Delegates to the interim Monitoring Officer the power to make typographical and non-substantive changes to the approved Constitution as detailed in Article 14 (2.2) of the Draft Constitution; and
- v) Delegates to the interim Monitoring Officer, in consultation with the Chair of the Shadow Authority and the Chair of the Standards Committee, arrangements for the recruitment of Statutory Independent Persons to perform the functions required in relation to standards under Article 10 of the Constitution, and other duties specified in the Constitution or by legislation.

3. Issues and Choices

3.1 Report Background

3.2 The North Northamptonshire Joint Committee at its meetings during 2019/20 received interim reports from the Governance Working Group. The Group had been established to draw-up a draft Constitution for the Shadow Authority. In addition, the Group considered a draft Code of Conduct for Members.

3.3 The Joint Committee at its meetings considered various elements of the draft Constitution, as submitted by the Working Group. Unfortunately the final report from the Group was not received, as the last scheduled Joint Committee meeting due in March 2020 was cancelled due to the current Covid-19 crisis.

3.4 The Constitution has been drawn-up to incorporate an executive form of governance, as stipulated by the legislation creating the Shadow Authority. There are four committees included:-

- Executive Committee
- Overview and Scrutiny Committee
- Senior Appointments Committee
- Standards Committee

3.5 The Constitution makes allowance for the Executive Committee and/or the Overview & Scrutiny Committee to establish Task and Finish Groups and Panels respectively to assist them in fulfilling their respective responsibilities.

3.6 The Constitution contains the normal elements associated with a standard local authority constitution. These include:-

Part 1 – Summary and explanation

Part 2 – Articles

Part 3 – Responsibility for Functions

Part 4 – Procedure Rules

Part 5 – Code of Conduct and Protocols

Part 6 – Members' Allowances Scheme (to be included when agreed)

Part 7 – Management Structure

In addition, a Part 8 has been included which specifically addresses the conduct of "virtual meetings" during the current Covid-19 crisis.

4. Implications (including financial implications)

4.1 Policy

4.1.1 The adoption of the draft Constitution, which includes the Code of Conduct, are fundamental to the establishment of the Shadow Authority.

4.2 Resources and Risk

4.2.1 None specific to this report.

4.3 Legal

4.2.1 The Structural Changes Order (as amended) sets out clearly the functions of the Shadow Authority. The Order specifically requires the adoption of a Code of Conduct at the inaugural meeting of the Shadow Authority.

4.2.2 The adoption of the draft Constitution will provide a clear governance structure to allow the Shadow Authority and its members to continue work on preparations for Vesting Day on 1st April 2021.

4.4 Equality and Health

4.4.1 None specific to this report.

Report Author: Paul Goult (Joint Lead Democratic Services Manager)

NORTH NORTHAMPTONSHIRE SHADOW AUTHORITY

SHADOW AUTHORITY MEETING

4th June 2020

Report of the Appointments Panel.

Report Title	Designation of Interim Statutory Officers to the Shadow North Northamptonshire Unitary Authority
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1. Purpose

- 1.1 The purpose of this report is to recommend to the Shadow Authority the appointment of Interim Statutory Officer designations.

2. Recommendations

- 2.1 It is recommended that the Shadow Authority agree the following officer recommendations for statutory designations as below:-
- Ms Elizabeth Elliot as the Interim Head of Paid Service
 - Mr Bhupinder Gill as the Interim Monitoring Officer
 - Mr Glenn Hammons as the Interim Chief Finance Officer (Section 151 Officer)

3. Issues and Choices

3.1 Report Background

- 3.1.1 The Northamptonshire (Structural Changes) Order 2019 requires the Shadow Authority for North Northamptonshire to designate on an interim basis three statutory roles to enable the Shadow Authority to operate at an officer level. The three designations are Head of Paid Service, Monitoring Officer and Section 151 Finance Officer.
- 3.1.2 The North Northamptonshire Joint Committee's (NNJC) Statutory Officer Appointment Task and Finish Group supported by the Future Northants Programme Team's HR Enabler developed job descriptions and person specifications and an outline selection process, which was agreed by the Joint Committee in January 2020.

3.1.3 The Structural Changes Order requires these designations to be in place and confirmed at the first Shadow Authority meeting and for them to be undertaken by an officer from the existing Councils in North Northamptonshire including the County Council. Chief Executives identified eligible officers against the designation/job descriptions requirements and applications were invited in April.

3.1.4 The structured interview selection process and competency based questions used were also developed by the NNJC Statutory Officer Appointment Task and Finish Group.

3.2 Issues and Choices

3.2.1 Interviews for the Interim Statutory Officer designations took place on Thursday 14 May 2020.

The panel comprised:

- Councillor Russell Roberts – Chair, Leader Shadow North Northamptonshire Authority and Leader of Kettering Borough Council
- Councillor Martin Griffiths, Deputy Leader, Shadow North Northamptonshire Authority and Leader of Borough Council of Wellingborough
- Councillor Jason Smithers, Shadow North Northamptonshire Authority Executive Member and Cabinet member for Northamptonshire County Council
- Councillor Tom Beattie, Shadow North Northamptonshire Authority Executive Member and Leader of Corby Borough Council
- Councillor Steven North, Shadow North Northamptonshire Authority Executive Member and Leader of East Northamptonshire Council

The panel received a briefing and training on recruitment and selection for senior appointments as agreed by the Joint Committee in January.

3.2.2 The panels assessed each candidate against the structured interview process and against the requirements detailed in the person specification for the interim designation. In recognition of the current Covid crisis the interviews were conducted successfully by Zoom.

4. Implications (including financial implications)

4.1 Policy

4.1.1 The appointment of Interim Statutory Officers is a requirement that is laid down in the Northamptonshire (Structural Changes) Order 2020.

4.2 Resources and Risk

4.2.1 The appointment of Interim Statutory Officers will enable a safe and legal transition from the Shadow Authority to the Unitary Council in 2021.

4.3 Legal

4.3.1 The appointments to the Statutory Officer designations ensures compliance with the Structural Changes Order.

4.4 Equality and Health

4.4.1 The appointment process followed a fair and transparent process. Eligible officers were invited to submit expressions of interest against an agreed specification.

**Report Authors: Cllr R Roberts/
Marie Devlin-Hogg – Unitary HR Enabler**

NORTH NORTHAMPTONSHIRE SHADOW AUTHORITY

SHADOW AUTHORITY MEETING

4th June 2020

Report of the Interim Monitoring Officer

Report Title	Committee Proportionality and Appointment of Members to Committees
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1. Purpose

1.1 This report invites the Shadow Authority to note the members of the Shadow Executive Committee, to receive the names of the Leaders and Deputy Leaders of the political groups, to constitute and decide on the allocation of places on committees between the political groups in accordance with the political balance requirements of the Local Government and Housing Act 1989 and to confirm the appointment of Committee Chairs, Deputy Chairs and members.

2. Recommendations

It is recommended that the Shadow Authority:

- i) Notes the creation of a leader and cabinet executive within the meaning of Part 1A of the Local Government Act 2000 (a) arrangements with respect to local authority governance) (“the shadow executive”).
- ii) Notes the members of the Shadow Executive Committee set out in paragraph 3.3.
- iii) Receives the names of the Leaders and Deputy Leaders of the Shadow Authority and of the political groups as set out at paragraph 3.4 and 3.5.
- iv) Agrees to constitute and decide on the allocation of places on committees between the political groups in accordance with the political balance requirements of the Local Government and Housing Act 1989, as set out at paragraph 3.10.
- v) Agrees that, in accordance with the provisions of Section 17 of the Local Government and Housing Act 1989, the appointments to the Standards Committee should not be made on the basis of political balance but should instead be made in such a way that every group on the Shadow Council is represented, as set out in paragraph 3.11.
- vi) Confirms the appointment of Committee Chairs, Deputy Chairs and members as required.

3. Issues and Choices

3.1 Report Background

3.2 The Local Government (Coronavirus) (Structural Changes) (Consequential Amendments) (England) Regulations 2020 enact that the Shadow Authority will create a leader and cabinet executive.

3.3 The Regulations stipulate that the Executive will comprise: two members of the county council, nominated by the Leader of the county council, both of whom must be members of the county council executive and represent divisions within North Northamptonshire; and the Leaders of the North's district and borough councils, and one other member of the district and boroughs nominated by the Leader of that member's district or borough council. If the council operates executive arrangements, then the member nominated must be from the executive of that council. The full membership of the Executive is:

Councillor Jean Addison
Councillor Tom Beattie
Councillor Wendy Brackenbury
Councillor Martyn Griffiths
Councillor Ian Jelley
Councillor David Jenney
Councillor Steven North
Councillor Tom Partridge-Underwood
Councillor Russell Roberts
Councillor Jason Smithers

3.4 Councillor Russell Roberts is the Leader of the North Northamptonshire Shadow Authority and Councillor Martyn Griffiths is Deputy Leader.

3.5 It remains for the Shadow Authority to receive the names of the Leaders and Deputy Leaders of the political groups. These will be reported to the Shadow Authority meeting on 4th June 2020 if received.

3.6 In addition, the Local Government and Housing Act 1989 and its associated regulations, requires the Shadow Authority at its first meeting, or as soon as practicable afterwards following any changes to its political makeup, to review the representation of political groups and determine the allocation of seats (i.e. proportionality) to committees.

3.7 The Local Government and Housing Act 1989 states that when carrying out calculations to apply political balance to committees, only those elected members who are members of political groups are to be counted. However, Council can determine whether it wishes to allocate a seat(s) to a member not part of a political group on such committees as Council deems necessary by passing a resolution with no Members voting against.

3.8 The composition of the political groups is 97 Conservative members, 44 Labour members, 7 Independent Group members, 2 Liberal Democrats members and 1 independent member who is unaligned to any political group.

- 3.9 The following principles must be applied in allocating committee places, in order of priority:
- 3.9.1 That not all seats on any committee are allocated to the same political group;
 - 3.9.2 That the majority of seats on all committees are allocated to the political group that has a majority of the Shadow Authority’s membership or as otherwise reflects the make-up of the Shadow Authority;
 - 3.9.3 That subject to 3.9.1. and 3.9.2 above, the number of seats for all main committees which are allocated to each political group bears the same proportion to the total of all the seats on the main committees as is borne by the number of members of that group to the membership of the Shadow Authority; and
 - 3.9.4 Subject to 3.9.3 the numbers of seats on the individual Committees allocated to each political group bears the same proportion to the number of seats of that Committee as is borne by the number of members of that group to their membership of the Authority.
- 3.10 There are 25 allocated Committee places which must be allocated as follows: 16 Conservative, 7 Labour, and 2 Independent Group.
- 3.11 Due to the nature of the work of the Standards Committee, it is being recommended to the Authority, in accordance with the provisions of section 17 of the Local Government and Housing Act 1989, the appointments to that committee should not be made on the basis of political balance but should include representation from every recognised political group on the Shadow Authority. This is to be achieved by allocating seats according to the principles of proportionality and then allocating one additional seat to the Liberal Democrat Group. This provision must be passed by the Authority without any Member voting against it in order to take effect. If agreed, this would increase the allocated Committee places to 26.

The allocation of seats for the recognised groups, subject to agreement of recommendation 2(v) above, between the Committees is as follows:

Committee	Conservative	Labour	Independent Group	Liberal Democrat	Total
Overview and Scrutiny	8	4	1	0	13
Senior Appointments Committee*	4	1	0	0	5
Standards Committee	4	2	1	1**	8

* It should be noted that under Article 8 of the Authority’s Constitution there is a requirement for at least one member of the Senior Appointments Committee to also be a member of the Shadow Executive Committee.

** If the Shadow Authority does not agree to recommendation 2(v) above, the Standards Committee would comprise 7 Members only, with no Liberal Democrat Group representation.

- 3.12 The memberships of Committees, including Chairs and Deputy Chairs, will be circulated prior to the meeting.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 None specifically.

4.2 Resources and Risk

- 4.2.1 None

4.3 Legal

- 4.2.1 The Shadow Authority has obligations under the Local Government and Housing Act 1989 and its associated regulations to review the representation of political groups and determine the allocations of seats.

4.4 Equality and Health

- 4.4.1 None specifically.

Report Authors: Paul Goult/Ben Smith (Joint Lead Democratic Services Managers)

NORTH NORTHAMPTONSHIRE SHADOW AUTHORITY

SHADOW AUTHORITY MEETING

4th June 2020

Report of the Interim Monitoring Officer

Report Title	Appointment of Independent Remuneration Panel – Members’ Allowances Scheme
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1. Purpose

1.1 The purpose of this report is to advise the Shadow Authority of its requirements in relation to members’ allowances and to seek authority to establish an Independent Remuneration Panel to determine the allowances of members of the North Northamptonshire Shadow Authority, and the proposed allowances of members for the North Northamptonshire Council.

2. Recommendations

It is recommended that the Shadow Authority:

- i) Notes the requirements in relation to members’ allowances;
- ii) Notes the preparatory work undertaken by the North Northamptonshire Joint Committee and its Independent Remuneration Panel Working Group in relation to members’ allowances and the appointment of an Independent Remuneration Panel;
- iii) Agrees to establish an Independent Remuneration Panel consisting of three members and invite the following to participate –

Professor Steve Leach
Ms Sue Watts
Mr Gerard Dempsey

- iv) Subject to (iii) above, invite Professor Steve Leach to act as Chair of the Panel;
- v) Agrees the terms of reference of the Panel as outlined in 3.10 and 3.11;
- vi) That the reasonable costs of the Chair and other Panel Members be met from the Local Government Reorganisation programme, following

discussion between the interim Monitoring Officer and the interim Chief Finance Officer;

vii) Delegation be given to the interim Monitoring Officer, that should the need arise, to liaise with Independent Remuneration Panel Members from other local authorities to fill any vacancy that may arise in Panel membership; and

viii) Delegation be given to the interim Monitoring Officer to arrange for the reviews indicated in the report to be progressed, and to arrange for the outcome of these reviews to be presented to the full Shadow Authority in due course.

3. Issues and Choices

3.1 Report Background

3.2 Members will be aware that allowances are payable to those elected as local councillors and that these are paid in accordance with a scheme of allowances approved by the council of which they are a member. Since councils approve the scheme of allowances payable to their members, regulations have been made by Parliament which set rules about the allowances, including requiring councils to have regard to recommendations made by a panel of independent persons when setting those allowances.

3.3 The Northamptonshire (Structural Changes) Order 2020 (as amended) contains specific provisions regarding members' allowances for the Shadow Authority, and for the new North Northamptonshire Council following Vesting Day on 1st April 2021.

3.4 The Structural Changes Order applies the regulations relating to members' allowances to the Shadow Authority with modifications. The Order as amended requires the Shadow Authority to:

- i) Formulate proposals for the scheme of members' allowances to be adopted by the Shadow Authority;
- ii) Prepare and adopt a scheme for the payment of such allowances; and
- iii) Formulate proposals for the scheme of members' allowances to be adopted by the North Northamptonshire Council.

3.5 Importantly the Order requires the Shadow Authority, when taking the steps at 3.4, to appoint an Independent Remuneration Panel (IRP) and to have regard to the recommendations made in a report by that Panel. An IRP must have at least three members, none of whom:

- i) Is also a member of the authority (or any of its committees or sub-committees) in respect of which the panel makes recommendations; or
- ii) Is disqualified from being or becoming a member of an authority.

The regulations also allow payment of an allowance to members of an IRP in relation to the performance of their duties.

3.6 On 16th January 2020 the North Northamptonshire Joint Committee considered a report of its Independent Remuneration Panel Working Group. The Group had been formed to:

- i) Contact as many members of the IRPS established in relation to the five sovereign councils covering North Northamptonshire as possible;
- ii) Identify appropriate persons to become members of an IRP for the Shadow Authority;
- iii) Confirm that those persons were willing to become members of an IRP;
- iv) Select a member to recommend to the Joint Committee to be appointed as Chair of the IRP; and
- v) Recommend to the Joint Committee potential allowances payable to members of the IRP, including any costs likely to be accrued by the Chair of the IRP.

3.7 In its report to the Joint Committee on 16th January 2020, the Working Group recommended the appointment of an IRP consisting of three independent persons, all of whom had undertaking similar duties for one or more of the sovereign councils. These were:-

- Professor Steve Leach – Emeritus Professor of Local Government at De Montfort University and an experienced chair of IRPs.
- Ms Sue Watts – of Age UK, a representative of the voluntary sector and experienced IRP member.
- Gerard Dempsey JP – a background in financial management, a lay member of the Lord Chancellor’s Advisory Committee and experienced IRP member.

It was further recommended that Professor Steve Leach be appointed as Chair of the IRP.

3.8 The Joint Committee agreed the nominations to the IRP (as detailed in 3.7 above) and agreed that Professor Steve Leach be appointed as Chair.

3.9 Since the Joint Committee previously considered this matter, the situation regarding the local government reform programme has changed. As a result, it is now being recommended to the Shadow Authority that the IRP be requested to undertake two reviews. One would relate to the Shadow Authority only, the other in relation to the new unitary council.

3.10 The IRP would be requested to conduct a review looking at the role of members of the shadow authority, including special responsibilities and make appropriate recommendations to the Shadow Authority.

3.11 A second review to consider the role of members of the new North Northamptonshire Council, including special responsibilities would need to be undertaken. Appropriate recommendations would also need to be made to the Shadow Authority for consideration.

3.12 There is clearly a distinction to be made between the role(s) of members in the Shadow Authority, and the role(s) of members in the new North Northamptonshire Council. The IRP will take this into account when

formulating its proposals. Any recommendations from the IRP will need to be agreed by a full meeting of the Shadow Authority.

- 3.13 The Structural Changes Order (as amended) requires the Shadow Authority to set allowances referred to above and, by applying the regulations, requires it to appoint an IRP to make recommendations regarding those allowances.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 None specific to this report.

4.2 Resources and Risk

- 4.2.1 As previously recommended by the Joint Committee, the IRP members will receive remuneration of reasonable expenses incurred. In addition, the Chair will be paid a daily rate and will be expected to compile the Panel's final report and recommendations, to be presented to the Shadow Authority. The cost of the Panel is estimated at £600-£700 per day (as reported to the Joint Committee at its January 2020 meeting).

4.3 Legal

- 4.2.1 Local Authorities must follow the process set out in the Local Authorities (Members Allowances) (England) Regulations 2003 when setting the scheme of allowances payable to their members. Those provisions apply to the Shadow Authority as modified by the Structural Changes Order (as amended). The body of this report sets out the relevant provisions of both and recommends the appropriate steps to take to comply with these.

4.4 Equality and Health

- 4.4.1 None specific to this report.

Report Author: Paul Goult (Joint Lead Democratic Services Manager)

NORTH NORTHAMPTONSHIRE SHADOW AUTHORITY

SHADOW AUTHORITY MEETING

4th June 2020

Report of the Interim Monitoring Officer

Report Title	Adoption of Calendar of Meetings
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1. Purpose

1.1 This report invites the Shadow Authority to receive and adopt the calendar of committee meeting dates.

2. Recommendations

2.1 It is recommended that the Shadow Authority notes and agrees to adopt the calendar of meetings dates set out at Appendix 1.

3. Issues and Choices

3.1 Report Background

3.2 The Shadow Authority has a governance structure adopted in accordance with the requirements of the Local Government (Coronavirus) (Structural Changes) (Consequential Amendments) (England) Regulations 2020.

3.3 The formal structure includes both the Shadow Executive Committee and the Overview and Scrutiny Committee, as well as the Senior Appointments Committee and the Standards Committee. The latter two committees will meet when needed, while the Shadow Executive Committee and the Overview and Scrutiny Committee will meet in accordance with the schedule attached at Appendix 1.

4. Implications (including financial implications)

4.1 Policy

4.1.1 None specifically.

4.2 Resources and Risk

4.2.1 None

4.3 Legal

4.2.1 The Shadow Authority is governed according to the principles set out within the Local Government (Coronavirus) (Structural Changes) (Consequential Amendments) (England) Regulations 2020.

4.4 Equality and Health

4.4.1 None specifically.

Report Authors: Paul Gault/ Ben Smith (Joint Lead Democratic Services Managers)

Committee	June 2020	July 2020	August 2020	September 2020	October 2020	November 2020	December 2020	January 2021	February 2021	March 2021
Shadow Council	4 th	30 th		17 th					18 th	
Shadow Executive	11 th & 25 th	23 rd	27 th	24 th	29 th	26 th		7 th & 28 th	25 th	25 th
Overview & Scrutiny		9 th	6 th	10 th	8 th	12 th	10 th	14 th	11 th	11 th

- **All meetings will start at 7pm unless otherwise specified on the summons for the meeting.**
- **Meetings of the Senior Appointments Committee and the Standards Committee will be summoned on an ad hoc basis.**