



## WEST NORTHAMPTONSHIRE JOINT COMMITTEE

26 March 2019

Report Title	SET-UP OF TASK AND FINISH GROUPS
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**AGENDA STATUS: PUBLIC**

### 1. Purpose

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- 1.1 The purpose of this report is to recommend to the West Northamptonshire Joint Committee ('WNJC') the establishment of three Task and Finish Groups, recommend that the WNJC appoints Members to each of the Task and Finish Groups and approves their Terms of Reference.

### 2. Recommendations

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It is recommended that the WNJC:

- 2.1 Establish the following Task and Finish Groups:

- a) Governance Task and Finish Group;
- b) Interim Appointments Task and Finish Group; and
- c) Independent Remuneration Panel Task and Finish group.

- 2.2 Appoints Members to each of the Task and Finish Groups referred to in paragraph 2.1 in accordance with the following criteria:

- a Chair is drawn from the membership of the WNJC; and
- a maximum of 4 further Members are drawn from the entire membership of each of the constituent Councils of the WNJC

ensuring that where possible, there is at least one Member from each of the WNJC's constituent Councils.

- 2.3 Approve the draft Terms of Reference for each of the Task and Finish Groups as detailed at Appendix 1 of this report.

### **3. Issues and Choices**

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#### **3.1 Report Background**

- 3.1.1 In August 2018, seven Councils in Northamptonshire resolved to submit a joint proposal (“Joint Proposal”) for two new unitary authorities covering the County to the Secretary of State for Housing, Communities and Local Government. That proposal was duly submitted and is now for the Secretary of State to consider.
- 3.1.2 One of the proposed unitary authorities comprised the current administrative areas of Daventry, Northampton and South Northamptonshire (referred to as “West Northamptonshire”) which would discharge all local government functions of county and district councils.
- 3.1.3 The Secretary of State’s consideration of the Joint Proposal, could ultimately lead to a Parliamentary decision to establish a new unitary authority for West Northamptonshire in spring 2020, with a shadow unitary authority as the interim transition body later in 2019.
- 3.1.4 The WNJC was therefore established in early 2019 by Daventry District Council, Northampton Borough Council, South Northamptonshire Council and Northamptonshire County Council to discharge functions related to possible local government reorganisation in Northamptonshire.
- 3.1.5 There will be a formal Joint Committee Agreement in place in respect of the WNJC agreed by each of the constituent Councils. This Agreement will cover matters such as the Committee procedure rules to be followed, the administration of the meetings and the duration of the Committee. The Joint Committee Agreement will state that the Joint Committee may establish Task and Finish Groups and specifies how the membership of a Task and Finish Group must be made up.

#### **3.2 Issues and Choices**

- 3.2.1 The agreed Terms of Reference of the WNJC include a number of tasks that the WNJC will need to undertake in advance of the possible creation of a shadow unitary authority for West Northamptonshire in order to implement any Structural Changes Order requirements when approved. The majority of the work of the WNJC will be carrying out preparatory work for and making recommendations to the shadow authority.
- 3.2.2 If a shadow authority is created as expected later this year, the duration of the WNJC will be short, but it will have some significant tasks to achieve in a limited period of time. In order to add capacity, it is recommended that the WNJC establish Task and Finish Groups to carry out these tasks ahead of the potential creation of the shadow authority.
- 3.2.3 Task and Finish Groups are not decision making bodies, will not have any delegated decision making powers and will only carry out defined pieces of work on behalf of the WNJC and report the outcomes and any recommendations arising from the work back to the WNJC. The principle of the Task and Finish Groups should be that they are agile enough to cope with the pace of the Local

Government Reorganisation Programme but give elected Members the opportunity to input and engage into the areas of work that the Task and Finish Groups are dealing with.

3.2.4 The Terms of Reference of the WNJC include the following:

- *To consider and recommend a Constitution to be adopted by the Shadow Authority at its inaugural Full Council meeting.*
- *To consider and recommend a Members' Code of Conduct to be adopted by the Shadow Authority at its inaugural Full Council meeting.*

3.2.5 It is therefore recommended that the WNJC establish a Governance Task and Finish Group to assist in undertaking the tasks set out at paragraph 3.2.4 (being tasks which are within the Terms of Reference of the WNJC).

3.2.6 The Terms of Reference of the WNJC include the following:

- *To agree and undertake the recruitment process for the selection of the posts of Interim Head of Paid Service, Interim Chief Finance Officer (section 151 Officer) and Interim Monitoring Officer for the Shadow Authority and recommend to the Shadow Authority at its inaugural meeting nominations for the three interim statutory Officers.*

3.2.7 It is therefore recommended that the WNJC establish an Interim Appointments Task and Finish Group to assist in undertaking the tasks set out at paragraph 3.2.6 (being tasks which are within the Terms of Reference of the WNJC).

3.2.8 The Terms of Reference of the WNJC include the following:

- *To agree the process for an independent review of a scheme of Members' Allowances for the Shadow Authority, including the setting up of an Independent Remuneration Panel and to recommend to the Shadow Authority a Scheme of Members' Allowances for adoption at its inaugural meeting.*

3.2.9 It is therefore recommended that the WNJC establish an Independent Remuneration Panel Task and Finish Group to deal with the statutory process to adopting a remuneration scheme to the Shadow Council.

3.2.10 It is recommended that the WNJC approve the draft Terms of Reference for each of the three Task and Finish Groups as detailed at Appendix 1 of this report.

3.2.11 It is recommended that the WNJC appoints Members to the Task and Finish Groups in accordance with the Joint Committee Agreement. It is therefore recommended that the WNJC appoints Members to each of the Task and Finish Groups referred to in paragraphs 3.2.5, 3.2.7 and 3.2.9 in accordance with the following criteria:

- a Chair drawn from the membership of the WNJC; and

- up to four further Members drawn from the entire membership of each of the constituent Councils of the WNJC

ensuring that, when possible out of the five Members on each Task and Finish Group, there is at least one Member from each of the WNJC's constituent Councils.

3.2.12 The quorum of each Task and Finish Group shall be 3 Members.

3.2.13 It should be noted there is no requirement for the Task and Finish Groups to be politically balanced as they are not being formally constituted as sub committees of the WNJC and are in effect informal working groups.

3.2.14 The Task and Finish Groups are time-limited bodies in that once they have completed the tasks set out in their Terms of Reference, they will fall away. The Task and Finish Groups, may if they so wish, co-opt external experts.

3.2.15 A Scoping Document will be developed at the inaugural meeting of each Task and Finish Group and will include:

- The purpose of the activity
- The required potential outcomes
- Members and co-optees
- Timescales
- Schedule of meetings
- Potential witness evidence and desktop research required
- Officers supporting the review

The Task and Finish Groups will then work in accordance with the Scope.

3.2.16 Following completion of the work of each Task and Finish Group, the report of the Task and Finish Group will be presented by the Chair of the Group to the WNJC for consideration and approval. Upon conclusion of the tasks, the Task and Finish Group will be wound up.

## **4. Implications (including financial implications)**

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### **4.1 Policy**

4.1.1 There are no specific policy implications arising directly from the recommendations. The recommendations are made pursuant to previous decisions of the constituent Councils relating to potential local government reorganisation and specifically decisions relating to the establishment of the WNJC and the setting of its Terms of Reference.

### **4.2 Resources and Risk**

4.2.1 Resources for each of the Task and Finish Groups would be drawn from the four Local Authorities that make up the WNJC. Specific support will be clarified prior to the inception of the work of each Task and Finish Group.

4.2.2 External expertise may be drawn upon as required and will be funded through the Local Government Reorganisation Programme.

### **4.3 Legal**

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

4.3.2 There will be a joint committee agreement between the councils addressing the key legal relationships, delegations, obligations and workings of the WNJC.

### **4.4 Equality and Health**

4.4.1 There are no equality and health implications arising directly from this report.

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Borough Secretary and Monitoring Officer  
Northampton Borough Council  
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**Draft Terms of Reference**

**The Governance Task and Finish Group**

- *To consider the type of Constitution that would be suitable for the potential Shadow Authority taking account of its likely functions and duration, drawing on best practice examples.*
- *To prepare a draft Constitution for the potential Shadow Authority for recommendation to the West Northamptonshire Joint Committee, which will recommend a Constitution to the Shadow Authority for adoption at its inaugural Full Council meeting.*
- *To prepare a draft Members' Code of Conduct for the potential Shadow Authority for recommendation to the West Northamptonshire Joint Committee, which will recommend a Members' Code of Conduct to the Shadow Authority for adoption at its inaugural Full Council meeting.*

**Draft Terms of Reference**

**Interim Appointments Task and Finish Group**

- *To recommend to the West Northamptonshire Joint Committee a recruitment process for the selection of the posts of Interim Head of Paid Service, Interim Chief Finance Officer (section 151 Officer) and Interim Monitoring Officer for the potential Shadow Authority.*

**Draft Terms of Reference**

**Independent Remuneration Panel Task and Finish Group**

- *In respect of the establishment of an Independent Remuneration Panel ('IRP') for the purpose of recommending a Scheme of Allowances for the potential Shadow Authority:*
  - *to consider the different ways of establishing an IRP for this purpose, and to make a recommendation to the West Northamptonshire Joint Committee as to how the IRP should be established and composed and specifically who the Members of the IRP should be;*
  - *to recommend a process to the West Northamptonshire Joint Committee for the independent review of a scheme of allowances for the Shadow Authority; and*
  - *upon the establishment of an IRP, to liaise with, coordinate and support the IRP.*