

NORTH NORTHAMPTONSHIRE

Committee	Joint Committee	Item 8	Page 1 of 5
Report Originator	Paul Goult on behalf of the Monitoring Officer Group	<i>Fwd Plan Ref No:</i>	
Wards Affected	ALL	24 th June 2019	
Title	Establishment of Working Groups		

1. PURPOSE OF REPORT

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

2. BACKGROUND

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

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

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

3. REPORT

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

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

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

Operational Procedures

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

NORTH NORTHAMPTONSHIRE

Committee	Joint Committee	Item 8	Page 2 of 5
-----------	------------------------	-----------	----------------

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

The purpose of the working group's activity

The required potential outcomes

Timescales

Schedule of Meetings

Potential witness evidence and/or research required

Confirmation of officer support for the working group

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

Governance Working Group

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

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

NORTH NORTHAMPTONSHIRE

Committee	Joint Committee	Item 8	Page 3 of 5
-----------	------------------------	-----------	----------------

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

Statutory Officer Appointments Working Group

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

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

Independent Remuneration Panel (IRP) Working Group

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

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

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

Terms of Reference Working Group

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

4. FINANCIAL IMPLICATIONS

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

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

NORTH NORTHAMPTONSHIRE

Committee	Joint Committee	Item 8	Page 4 of 5
-----------	------------------------	-----------	----------------

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

5. **LEGAL IMPLICATIONS**

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

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

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

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

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

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

NORTH NORTHAMPTONSHIRE

Committee	Joint Committee	Item 8	Page 5 of 5
------------------	------------------------	-----------	----------------

Appendix 1 – Draft Terms of Reference

Governance Working Group

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

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

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

Statutory Officer Appointments Working Group

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

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

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

- Permanent Head of Paid Service

Independent Remuneration Panel (IRP)

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

Scope and timetable of the Review

Appointment of Panel Members

Remuneration of Panel Members

Terms of Reference Working Group

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