



WEST NORTHAMPTONSHIRE JOINT COMMITTEE

26 March 2019

Report Title	WEST NORTHAMPTONSHIRE JOINT COMMITTEE – TERMS OF REFERENCE
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AGENDA STATUS: PUBLIC

1. Purpose

- 1.1 The purpose of this report is to set out the Terms of Reference for West Northamptonshire Joint Committee (WNJC) and ask the WNJC to note its Terms of Reference.

2. Recommendations

It is recommended that the WNJC:

- 2.1 note the agreed Terms of Reference of the WNJC.

3. Issues and Choices

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.

3.2 Issues and Choices

3.2.1 A set of draft Terms of Reference for the WNJC was presented to each of the constituent Councils in early 2019. Each of the constituent Councils agreed the draft Terms of Reference which have now therefore become the agreed the Terms of Reference for the WNJC.

3.2.2 It is recommended that the WNJC note the agreed Terms of Reference of the WNJC, which are at Appendix 1.

3.2.3 If a shadow authority is created as expected later this year, the duration of the WNJC will be short. The WNJC has not been given wide-ranging responsibilities. The agreed Terms of Reference of the WNJC include a number of activities 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. Therefore, the WNJC will discharge primarily influencing functions within its limited remit and the majority of its work will be carrying out preparatory work for and making recommendations to the shadow authority.

3.2.4 The agreed Terms of Reference for the WNJC could be amended in the future if considered necessary. For example, this may become necessary if the shadow authority is established later than anticipated, which would mean the lifespan of the WNJC would increase. Amending the Terms of Reference would require each of the Councils to seek approval of any proposed change through their own formal governance processes.

4. Implications (including financial implications)

4.1 Policy

4.1.1 There are no specific policy implications arising directly from the recommendation. The recommendation only asks the WNJC to note the Terms of Reference which have already been agreed. The recommendation is 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 There are no specific resource implications arising from this report. Resources for the work of the WNJC to carry out the activities outlined in the Terms of Reference will be drawn from the four Local Authorities that make up the WNJC. Any 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 In early 2019, each of the Councils that is a member of the WNJC delegated those functions to the WNJC as set out in the Terms of Reference.

4.4 Equality and Health

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

Francis Fernandes
Borough Secretary and Monitoring Officer
Northampton Borough Council
Tel: 01604 837334



West Northamptonshire Joint Committee Terms of Reference

1. To consider and recommend a Constitution to be adopted by the Shadow Authority at its inaugural Full Council meeting.
2. To consider and recommend a Members Code of Conduct to be adopted by the Shadow Authority at its inaugural Full Council meeting.
3. To agree and undertake the recruitment process for the selection of the posts of Interim Head of Paid Service, Interim Chief Finance Officer (section 151 Officer) and Interim Monitoring Officer for the Shadow Authority and recommend to the Shadow Authority at its inaugural meeting nominations for the three interim statutory Officers.
4. To consider and recommend to the Shadow Authority at its inaugural meeting a nomination for the post of Returning Officer.
5. To monitor and seek to mitigate any potential risks associated with the Local Government Reform programme (LGR), the creation of a Shadow Authority and creation of a unitary authority for West Northamptonshire and to establish/agree relevant protocols or process's to manage the risks to LGR.
6. To establish and propose a Calendar of Meetings for the Shadow Council for adoption at its inaugural meeting.
7. To respond to consultations on the content of orders, consents or any other matters where specifically requested to do so by the West Steering Group.
8. To establish/agree any protocol or process which, if not implemented timeously, may threaten the establishment of a Unitary Council within the deadline set by the Secretary of State.
9. To receive recommendations/reports from work streams that require Joint Committee approval so long as those relate to the Joint Committee's terms of reference referenced above.
10. 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.