



Item No.
7

Joint Strategic Planning Committee

Joint Planning Unit

Manager:

Date: 21 October 2008

Report Title

Governance Issues

1. Recommendations:

That the Joint Committee notes, and where necessary agrees, the matters set out below in relation to governance issues.

2. Summary:

To outline and confirm matters relating to the governance of the Joint Committee.

3. Background:

The Joint Committee was formally established by the West Northamptonshire Joint Committee Order 2008 ("the Order") a copy of which is appended.

Terms of Reference

In the light of Articles 3 and 4 of the Order it is recommended that the formal terms of reference for the Joint Committee are:

To exercise the local planning authority functions of Northampton Borough Council, Daventry District Council and South Northamptonshire Council contained in part 2 of the Planning and Compulsory Purchase Act 2004 in so far as they relate to the preparation, submission and revision of:

- (i) such of the local development documents specified in the local development scheme submitted to the Secretary of State on 16 March 2007 as are identified in that scheme for preparation otherwise than by one of the said Councils;*
- (ii) the local joint development scheme; and*
- (iii) the local development documents specified in the local development*

scheme.

Joint Committee Procedures

To a large extent the Schedule to the Order lays down the procedural rules for the conduct of meetings of the Joint Committee. It is suggested that, where the Order is silent on any procedural point, the terms of the West Northamptonshire Joint Strategic Planning Memorandum of Intent 2008 (“the Memorandum of Intent”) (appended) should apply if it addresses the issue failing which relevant extracts from the accountable body’s (i.e. South Northamptonshire Council’s) Council Procedure Rules (appended) should apply.

The Joint Committee is recommended to resolve to adopt these supplementary procedural rules for governance purposes. It is empowered to do this by paragraph 8 of the Schedule to the Order

Overview and Scrutiny

The Memorandum of Intent provides that formal overview and scrutiny of the Joint Committee’s deliberations shall be exercised by the Partner Authorities’ existing arrangements as they see fit. Although ultimately a matter for each authority Joint Committee Members may wish to consider a recommendation to each authority that, to avoid potential inconsistency and duplication of effort, a Joint Overview and Scrutiny Committee is established.

Budgetary Matters

The expenses incurred in servicing and supporting the Joint Committee are to be met by South Northamptonshire Council as the accountable body (Article 10 of the Order) and each Joint Committee Member’s expenses are to be funded via his/her authority’s allowances scheme.

In so far as the expenses of the Joint Planning Unit are concerned, while the Joint Committee will no doubt be recommending a proposed budget for each financial year, it will be for each partner authority to determine the extent to which it contributes to the overall costs as part of its own budget setting and approval processes.

Distribution of Minutes

Part M of the Memorandum of Intent provides that the usual Local Government Act 1972 rules will apply to, inter alia, the publication and inspection of minutes and background papers for Joint Committee meetings. However it is suggested that each authority reports the Joint Committee minutes to its respective full Council meetings via, where appropriate, its Cabinet or Executive.

Ethical Matters

Each Joint Committee Member will be bound by his/her authority’s adopted Code of Conduct when attending Meetings.

4. Options:

- (i) to adopt the terms of reference outlined above;
- (ii) to adopt the supplementary procedural rules appended for meetings of

- the Joint Committee;
- (iii) to determine recommended overview and scrutiny arrangements for the deliberations of the Joint Committee;
- (iv) to determine the recommended destination of Joint Committee minutes within the partner authorities;
- (v) to raise any other governance issues that appear relevant to Joint Committee Members for resolution either at the meeting or, if not immediately resolvable, via report back to a future meeting.

5. Consultees:

External:	None
Internal:	Lead officers for JPU Monitoring Officer for NBC

6. Representations:

None

7. Conclusions:

The Joint Committee is recommended to note and confirm the governance issues raised in this report so that it proceeds with its future business on a sound procedural footing.

8. Legal Implications:

The Joint Committee has to comply with the Order (SI 2008/1572), the Local Government Act 1972 and the common law relating to meetings.

9. Background Papers:

The West Northamptonshire Joint Committee Order 2008
West Northamptonshire Joint Strategic Planning Memorandum of Intent 2008
South Northamptonshire Council Procedure Rules

Position:	Name/Signature:	Date:
Author: Kevin Lane		
Title: Head of Corporate Services, SNC		

