



# WEST NORTHAMPTONSHIRE JOINT COMMITTEE

**3 FEBRUARY 2020**

|                     |   |
|---------------------|---|
| <b>Report Title</b> | <b>REPORT OF THE GOVERNANCE TASK &amp; FINISH GROUP</b> |
|---------------------|---|

## **1. Purpose**

---

- 1.1 This report follows a previous report of the Governance Task & Finish Group made to the 5<sup>th</sup> June 2019 meeting of the West Northamptonshire Joint Committee ('WNJC').
- 1.2 That report referred to the work which the Task and Finish Group had undertaken in relation to the draft Constitution for the Shadow Authority. At that meeting the WNJC made a number of resolutions including:
- a) The Governance Task and Finish Group were to meet again after the publication of the Structural Changes Order to make any necessary amendments to the draft constitution of the proposed West Northamptonshire Shadow Council; and
  - b) That it be noted that changes may be needed to the draft constitution arising from the Structural Changes Order once it has received parliamentary approval and further amendments will, if required, be brought back to the WNJC for approval.
- 1.3 This report is to update the WNJC on the further work carried out by the Governance Task & Finish Group at its meeting on 19<sup>th</sup> December 2019 in relation to the Constitution, recommend approval of the draft Code of Conduct for Members, set out the current timetable contained in the draft Structural Changes Order and recommend use of a system for recording member attendance at meetings of the Shadow Authority.

## **2. Recommendations**

---

- 2.1 It is recommended that:
- a) The WNJC note the work undertaken by the Governance Task & Finish Group in relation to the draft Constitution, including the Code of Conduct for Members.

- b) The WNJC approve the draft Code of Conduct for Members attached at Appendix B for recommendation to the Shadow Council.
- c) The WNJC note the specific functions of the Joint Committee set out in the draft Structural Changes Order.
- d) The WNJC note the timetable set out in the draft Structural Changes Order for performing those functions.
- e) That the WNJC approve the use of a system of recording member attendance at meetings of the Shadow Authority, its Executive, Committees and Sub-committees and recommends this to the Shadow Authority.
- f) That the WNJC appoints a working group, composed of current members of the Governance Task and Finish Group, to consider the merits of appointing area committees and/or a youth council and to report to the WNJC of its findings and views.

### **3. Governance Task & Finish Group Conclusions**

---

#### **3.1**

- a) The Working Group has further considered the draft constitution which had been presented to the WNJC meeting on 5 June 2019. In particular it considered the draft Code of Conduct which forms part of that draft constitution. Comments and suggested amendments were also received from Monitoring Officers of the constituent Councils for the West Northamptonshire area and in turn these were forwarded to and considered by the Working Group.
- b) At its meeting on 19 December 2019 the Working Group considered a report exhibiting a version of the draft Code of Conduct which incorporated those comments and suggested amendments. A copy of the Task and Finish Group report is attached as **Appendix A**. The Working Group reviewed the draft Code and considered each in turn. A copy of the draft Code incorporating the amendments agreed by the Working Group at its meeting on 19<sup>th</sup> December 2019 is attached at **Appendix B**.
- c) The draft Structural Changes Order expressly requires the WNJC to recommend a Code of Conduct to the Shadow Authority for it to adopt at its first meeting (see below).
- d) The Working Group is of the view that the attached version of the Code is suitable to be recommended to the Shadow Authority by WNJC in accordance with its obligation under the draft Structural Changes Order.

#### **3.2 Recording of Attendance at Meetings**

- a) At the meeting on 5 June members enquired as to whether an accessible record of member attendance would be produced to show which members had attended any particular meeting. At its meeting on 19 December the Working Group considered a report setting out the processes which are in use at Northampton Borough Council and other authorities for recording member

attendance at meetings of the authority, its Executive, Committees and Sub-committees. A copy of the report is attached at **Appendix C**.

- b) The Working Group were of the view that a similar system should be operated by the Shadow Authority so that the constituent authorities and the public can access member attendance at relevant meetings.

### **3.3 Functions of the Joint Committee and Timetable**

- a) As members will be aware, the draft Northamptonshire (Structural Changes) Order was laid before Parliament on 24<sup>th</sup> October 2019 and requires approval of both Houses of Parliament before it becomes law. The process was interrupted by the suspension of Parliament due to the General Election in December and therefore it awaits Parliamentary approval.
- b) The draft Structural Changes Order sets out a number of functions which must be performed by the constituent authorities, WNJC and the Shadow Authority. **Appendix D** sets out those steps along with the timetable which currently applies to the draft Order.
- c) It is possible that as the draft Order continues through the Parliamentary process the functions and/or timetable will alter however, at present it is recommended that the WNJC notes the current content and has regard to this whilst performing its functions.
- d) In broad summary the functions of the WNJC are to:
  - i. form an implementation team;
  - ii. prepare, keep under review and revise an implementation plan;
  - iii. formulate a Code of Conduct for the Shadow Authority and present this to the first meeting of the Shadow Authority for it to consider and adopt.
- e) If, as a result of the parliamentary approval process, the functions or timetable change to a significant extent a further report will be made to members setting out the implications.

### **3.4 Area Committees and Youth Council**

- a) At its meeting on 5 June the WNJC observed that there was further time for work to be done on the issues of whether the West Northamptonshire Council should establish area committees and/or establish a youth council.
- b) At its meeting on 19 December the Working Group considered a report on both these matters and discussed in outline the factors which may be relevant to the decisions on each matter. A copy of the report to the Working Group is attached at **Appendix E**.
- c) It was established that there are a number of considerations which will be relevant to these decisions and that additional work would be required to provide the WNJC with any meaningful material on which to decide whether any recommendation should be made to the Shadow Authority.

- d) The Working Group determined that this was beyond its current scope and that a further working group would be required to undertake this work in detail. The Working Group members did indicate at the meeting that they were prepared to undertake this additional task if required by the WNJC. Accordingly, it is recommended that WNJC establishes a working group, composed of members of the Governance Task and Finish Group, to consider this matter in more detail and report to them.

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

---

##### **4.1 Policy**

- 4.1.1 None arising directly, as the material presented is in draft form.

##### **4.2 Resources and Risk**

- 4.2.1 Ongoing support of the Governance Task & Finish Group will be required once the expected SCO for Northamptonshire has been received.

##### **4.3 Legal**

- 4.3.1 The draft Structural Changes Order sets out clearly the functions of the WNJC and the Shadow Authority, along with a timescale for carrying out those obligations. Whilst it is possible that those functions and timescales will change when the draft receives parliamentary approval, the draft sets these out as clearly as is currently possible. The relevant specific functions are set out in the body of the report.

##### **4.4 Equality and Health**

- 4.4.1 There are no equality and health implications arising directly, as the material presented is in draft form.

##### **4.5 Consultees (Internal and External)**

- 4.5.1 Members of the Task & Finish Group, Chief Executives (and through them their nominees).

#### **5. Background Papers**

---

- 5.1 Reports to the Governance Task & Finish Group made on 19 December 2019.

**Francis Fernandes**  
**Borough Secretary and Monitoring Officer**  
**Clive Tobin- Solicitor**  
**Northampton Borough Council**  
**Tel: 01604 837334**