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South Northamptonshire Council

Council

Minutes of a meeting of the Council held at The Forum, Moat Lane, Towcester, Northants NN12 6AD on Wednesday 2 October 2019 at 6.00 pm.

Present Councillor Rosie Herring (Chairman)
Councillor Anthony S. Bagot-Webb (Vice-Chairman)
Councillor Ann Addison
Councillor Robert G. Atkinson
Councillor Fiona Baker
Councillor Sandra Barnes MBE
Councillor Phil Bignell
Councillor Caryl Billingham MBE
Councillor Rebecca Breese
Councillor John Budden
Councillor Roger Clarke
Councillor Stephen Clarke
Councillor Richard Dallyn
Councillor Hywel Davies
Councillor Peter Davies
Councillor Valerie Furniss
Councillor Andrew Grant
Councillor David Harries BEM
Councillor Steven Hollowell
Councillor Martin Johns
Councillor Chris Lofts
Councillor Dennis Loveland
Councillor Charles Manners
Councillor Ian McCord
Councillor Ken Pritchard
Councillor Peter Rawlinson
Councillor Mary-Anne Sergison-Brooke
Councillor Sandi Smallman
Councillor Catharine Tarbun
Councillor Allen Walker
Councillor Elaine Wiltshire
Councillor Paul Wiltshire

Apologies for
Absence: Councillor Mark Allen
Councillor Dermot Bambridge
Councillor Carole Clarke
Councillor Karen Cooper
Councillor Gregor Hopkins
Councillor Abigail Medina
Councillor Alice Kim Ord
Councillor Adil Sadygov

Councillor Lisa Samiotis
Councillor John Townsend

Officers: Richard Ellis, Chief Executive
Jane Carr, Executive Director: Operations
Andrew Hunkin, Executive Director: Resources (Monitoring Officer)
Martin Henry, Executive Director: Finance (Section 151 Officer)
Peter Holt, Assistant Chief Executive (Deputy Monitoring Officer)
Natasha Clark, Governance and Elections Manager

35 **Welcome**

The Chairman welcomed and thanked Members and officers for attending the Special Council meeting.

The Chairman welcomed Councillor Mark Allen, newly elected to the council following the recent by-election in the Middleton Cheney ward to the council advising however that unfortunately, Councillor Allen was unable to attend the Special Council meeting.

The Chairman welcomed Martin Henry back to the council and to his first Council meeting as Executive Director: Finance & Section 151 Officer.

36 **Declarations of Interest**

There were no declarations of interest.

37 **Minutes of Council**

The minutes of the meeting of Council held on 24 Jul 2019 were agreed as a correct record and signed by the Chairman.

38 **Chairman's Announcements**

The Chairman made the following announcements:

General Housekeeping

The Chairman reminded the meeting that members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

There were no planned fire drills so if the alarm did sound, evacuation instructions given by officers should be followed.

Meeting attendees were asked to switch mobile phones to silent.

Council, 23 October 2019

The Chairman advised Members that as this was a Special meeting of Council, there was no public participation, member motions or questions. These items would be on the agenda for the scheduled meeting of Council on Wednesday 23 October.

Post

The Chairman reminded Members to collect any post from pigeon holes.

39 Announcements by the Leader of the Council and the Chief Executive

The Leader, Councillor McCord, made the following announcements:

Executive Director: Finance

The Leader welcomed Martin Henry, Executive Director: Finance and Section 151 Officer, back to South Northamptonshire Council in his new role.

Statement of Accounts 2018/19

The Leader referred to the Statement of Accounts 2018/19 which had not yet been signed off by the council's external auditor, Ernst Young. South Northamptonshire Council had fulfilled its requirements with the accounts having been certified by the Chief Finance Officer by 31 May 2019. The draft accounts had been due to be agreed by the Audit Committee by the statutory 31 July 2019 but Ernst Young, had however not been able to complete the external audit work for the account sign off deadline due to staff shortages.

Ernst Young had commenced its audit in August, however this was only 90% complete when the draft accounts were submitted to the Audit Committee meeting of 19 September. As Ernst & Young could not provide an opinion on the accounts until their work was complete, accounts could not be approved by the Audit Committee.

The Leader advised that the delay was also affected by the Northamptonshire County Council (NCC) 2017-18 accounts not having been finalised yet. As a result, Ernst & Young could place any reliance on the figures in SNC's 2018-19 accounts relating to the pension fund disclosures until the NCC accounts had been signed off. It was anticipated that the NCC accounts would be signed off imminently.

The Chief Executive had no announcements.

40 Questions to the Leader of the Council and the Chief Executive

In response to the announcements by the Leader, Councillor Harries, Chairman of the Audit Committee, commented that the situation had been frustrating for Audit Committee members and requested that the Leader email all members a copy of the announcement he had made.

Councillor Lofts advised Council that he had queried with the external auditor, Ernst & Young, if South Northamptonshire Council would face sanctions for the late

submission of the accounts. Ernst & Young had advised that over 200 councils were in a similar position with late account sign off for various reason, and it was highly unlikely there would be sanctions due to the extent of the problem across the country.

41 Local Government Reform in Northamptonshire - Additional Terms of Reference for the West Northamptonshire Joint Committee

The Executive Director: Resources submitted a report to amend the Terms of Reference for the West Northamptonshire Joint Committee.

Resolved

- (1) That the revised and augmented Terms of Reference (Annex to the Minutes as set out in the Minute Book) be agreed and the necessary powers and authority be delegated to the West Northamptonshire Joint Committee.
- (2) That authority be delegated to the Monitoring Officer, in consultation with the Leader of the Council, to amend the 'West Northamptonshire Joint Committee Agreement' to incorporate the changes agreed by Council.

42 Amendment to the Appointments and Personnel Committee

The Executive Director: Resources submitted a report to consider amendments to the membership, terms of reference and title of the Council's Appointments and Personnel Committee.

Resolved

- (1) That the Appointments and Personnel Committee be retitled as the Organisational Development and Personnel Committee.
- (2) That the committee's terms of reference be added to so that it is able to consider organisational or staffing matters arising in the period leading up to the unitary government vesting day; and so that it is able to consider the impact of any local government reorganisation proposals, or shared service proposals, on the Council's current organisational and staffing arrangements.
- (3) That it be agreed that the Organisational Development and Personnel Committee not be subject to the political balance requirements and comprises eight elected members (six Conservative, one Liberal Democrat and one Independent) of which at least two elected members are not Cabinet Members.
- (4) That authority be delegated to the Monitoring Officer to amend the Constitution accordingly.

43 **Results of Middleton Cheney By-Election, Allocation of Seats and Membership of Committees**

The Chief Executive submitted a report to advise Council of the results of the by-election for the Middleton Cheney ward held on 12 September 2019, and to note the constitution of the council, political balance calculations and allocation of seats on committees that were subject to the political balance requirements following the by-election.

Resolved

- (1) That the results of the by-election for the Middleton Cheney ward held on 12 September 2019 be noted.
- (2) That the constitution of the Council (Conservative: 33 (79%), Independent: 3 (7%), Liberal Democrat: 6 (15%)), the political balance calculations and the allocation of seats on committees that were subject to the political balance requirements following the by-election (annex to the Minutes as set out in the Minute Book) be noted.
- (3) That the following appointments and amendments to Committees in light of the revised allocation of seats on committees that are subject to the political balance requirements be noted:

Appeals Committee

Remove: Councillor Caryl Billingham (Independent Group)

Add: Councillor Chris Lofts (Liberal Democrat Group)

Budget and Financial Strategy Committee

Remove: Councillor Hywel Davies (Conservative Group)

Add: Councillor Mark Allen (Liberal Democrat Group)

Licensing Committee

Add: Councillor Dennis Loveland (Conservative Group) to vacant Conservative seat

Planning Policy and Regeneration Strategy Committee

Remove: Councillor Dennis Loveland (Conservative Group)

Add: Councillor Martin Johns (Liberal Democrat Group)

44 **Urgent Business (previously agreed with the Chairman)**

There were no items of urgent business.

45 **Exclusion of Press and Public**

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part I, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

46 **Former Co-op Site, Sponne Arcade, Richmond Road, Towcester**

The Executive Director: Resources submitted an exempt report regarding the former Co-op site, Sponne Arcade, Richmond Road, Towcester.

Resolved

- (1) As set out in the exempt minutes.
- (2) As set out in the exempt minutes.
- (3) As set out in the exempt minutes.

The meeting closed at 7.10 pm

Chairman:

Date:

West Northamptonshire Joint Committee

Proposed Terms of Reference

Italics = minor changes

Bold = additions

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 <i>and the designations</i> 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 Full Council meeting nominations for the three interim statutory officers.
4. To consider and recommend to the Shadow Authority at its inaugural Full Council meeting a nomination for the post of Returning Officer.
5. To consider and initiate appropriate mechanisms for the recruitment and designation of a permanent Chief Executive (Head of Paid Service) and other statutory officers, including provisional terms and conditions, including salary, and method of selections, so that the earliest possible appointments can be made by the Shadow Authority.
6. To monitor and seek to mitigate any potential risks associated with the Local Government Reform (LGR) programme, the creation of a Shadow Authority and creation of a unitary council for West Northamptonshire and to establish/agree protocols or processes to manage the risks to LGR.
7. To establish and propose a Calendar of Meetings for the Shadow Authority for adoption at its inaugural Full Council meeting.
8. To respond to consultations on the contents of orders, consents or any other matters where specifically requested to do so by the <i>Leaders Oversight Board or Design Board</i> .
9. To identify and approve a policy framework (including production of draft policy statements and supporting procedures) relevant to the required statutory compliance of the new unitary council.
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 Full Council meeting.

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| <p>11. To agree a mechanism for expenditure incurred by the officer(s) responsible for the conduct of the election on 7th May 2020 for North Northamptonshire Council and West Northamptonshire Council to be paid. The cost to be divided among, and paid by, the County Council, North Northamptonshire councils and the West Northamptonshire councils.</p> |
| <p>12. To agree a mechanism for expenditure incurred by the shadow authorities to be divided among, and paid by, the County Council, the North Northamptonshire councils and the West Northamptonshire councils.</p> |
| <p>13. To prepare and keep under review an Implementation Plan to include such plans and programmes as are in the opinion of the Joint Committee necessary to secure the effective, efficient and timely discharge of any functions necessary and/or proscribed in a future Structural Changes Order.</p> |
| <p>14. To form a team of officers as an “Implementation Team” for the purpose of assisting the Joint Committee to discharge its functions.</p> |
| <p>15. To take steps to prepare for the economic, effective, efficient and timely transfer of the functions, property, rights and liabilities of the County Council and district/borough councils to the new unitary council.</p> |
| <p>16. To develop and oversee early enabling strategies including, but not limited to, organisation design process and principles, ICT, digital transformation, organisational development and assets.</p> |
| <p>17. To identify, promote and ensure collaborative working between councils and to ensure that all Members are kept fully briefed and engaged in establishing a new unitary council.</p> |
| <p>18. To oversee the development and delivery of a comprehensive communications and engagement strategy that addresses the requirements of Members, staff, town and parish councils, local partners and wider stakeholders and, to consider how decisions and issues shall be communicated to local people and stakeholders, and to engage with stakeholders on matters within the purview of the Joint Committee.</p> |
| <p>19. To liaise with relevant internal and external auditors and ensure their focus supports the development of the new unitary council.</p> |
| <p>20. To agree an induction and training programme for newly elected Members for 2020/2021.</p> |
| <p>21. To agree support services for newly elected Members for 2020/21.</p> |
| <p>22. To progress arrangements for civic and ceremonial matters and functions related to the new unitary council.</p> |

Annex to Minutes

Allocation of seats on committees subject to the political balance requirements

Political Balance	TOTAL	CON	IND	LIB DEM
Appeals Committee	5	4	0	1
Budget & Financial Strategy Committee	12	9	1	2
Licensing Committee	12	10 (+1)	1	1 (-1)
Planning Committee	14	11	1	2
Planning Policy & Regeneration Strategy Committee	12	9	1	2
Scrutiny Committee	15	12	1	2
West Northamptonshire Joint Committee	4	3	0	1
Proportional Total by Committee	74	58	5	11
Aggregate Entitlement	74	58	5	11
Adjustment Required	N/A	+1	0	-1

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