

WEST NORTHAMPTONSHIRE SHADOW COUNCIL

Tuesday, 18th August 2020**Present:**

Councillor	Authority	Councillor	Authority
Ann Addison	SNC	Amy Howard	DDC/NCC
Mark Allen	SNC	Wayne Howard	DDC
Johnnie Amos	DDC	Cécile Irving-Swift	DDC/NCC
Tony Ansell	NBC	David James	DDC
Rufia Ashraf	NBC	Martin Johns	SNC
Robert Atkinson	SNC	Andrew Kilbride	NBC/NCC
Richard Auger	DDC/NCC	Samuel Kilby-Shaw	NBC
Anthony Bagot-Webb	SNC	Jamie Lane	NBC
Fiona Baker	SNC/NCC	Phil Larratt	NBC
Dermot Bambridge	SNC	Chris Lofts	SNC
Sandra Barnes MBE	SNC	Malcolm Longley	DDC/NCC
Sally Beardsworth	NBC	Dennis Loveland	SNC
Phil Bignell	SNC	Ian McCord	SNC
Caryl Billingham MBE	SNC	Christopher Malpas	NBC
Lizzy Bowen	NCC	Charles Manners	SNC
Rebecca Breese	SNC/NCC	Brian Markham	NBC
Adam Brown	DDC/NCC	Mary Markham	NBC
John Budden	SNC	Les Marriott	NBC
Muna Cali	NBC	Peter Matten	DDC
Alan Chantler	DDC	Abigail Medina	SNC
Pinder Chauhan	NCC	Dennis Meredith	NBC/NCC
Nazim Choudary	NBC	Chris Millar	DDC
Stephen Clarke	SNC	Jonathan Nunn	NBC
Karen Cooper	SNC	Kevin Parker	DDC
Daniel Cribbin	DDC	Jason Pritchard	DDC
Stephen Dabbs	DDC	Ken Prichard	SNC
Julie Davenport	NBC/NCC	Wendy Randall	DDC
Peter Davies	SNC	Peter Rawlinson	SNC
Janice Duffy	NBC	Ken Ritchie	DDC
Deanna Eddon	DDC	Anjona Roy	NCC
Brandon Eldred	NBC	Sam Rumens	NCC
Penelope Flavell	NBC	Catherine Russell	NBC
Rupert Frost	DDC	Brian Sargeant	NBC
Jo Gilford	DDC	John Shephard	DDC
Matthew Golby	NBC/NCC	Judy Shephard	NCC
André Gonzalez de Savage	NCC	David Smith	DDC
Andrew Grant	SNC	Zoe Smith	NBC
Liz Griffin	DDC	Danielle Stone	NBC/NCC
Mike Hallam	NBC/NCC	Winston Strachan	NCC
Enam Haque	NBC	Allen Walker	SNC/NCC
David Harries BEM	SNC	Graham Walker	NBC
Jonathan Harris	DDC	Mike Warren	DDC
Rosie Herring	SNC	Mark Wesley	DDC
Stephen Hibbert	NBC	Elaine Wiltshire	SNC
James Hill	NBC	Paul Wiltshire	SNC
Alan Hills	DDC		

Officers in attendance:

Ed Bostock	Democratic Services Officer, NBC
George Candler	Interim Chief Executive, West Northamptonshire Shadow Authority
Anna Earnshaw	Deputy Chief Executive and Director of Adults' Services, Public Health and Wellbeing
Richard Ellis	Chief Executive, SNC
Theresa Grant	Chief Executive, NCC and Strategic Delivery Director, Northamptonshire LGR Programme
Paul Hanson	Democratic Services Manager, NCC
Martin Henry	Interim Chief Finance Officer, West Northamptonshire Shadow Authority
Maisie McInnes	Democratic Services Officer, NBC
Rebecca Peck	Assistant Director to the Chief Executive, NCC
Tracy Tiff	Democratic Services Manager, NBC
Marina Watkins	Democratic Services Officer, DDC
Richard Woods	Democratic Services Officer, SNC
Susan Zeiss	Interim Monitoring Officer, West Northamptonshire Shadow Authority

1. APOLOGIES

Apologies were received from Councillors Jane Birch (NBC/NCC), Alan Bottwood (NBC), Robin Brown (NCC), Nick Bunting (DDC), Clement Chunga (NBC), Michael Clarke (NCC), Hywell Davies (SNC), Gareth Eales (NBC/NCC), Terrie Eales (NBC), Valerie Furniss (SNC), Luke Graystone (NBC), Paul Joyce (NBC), Catherine Lomax DDC, Colin Morgan (DDC), Brian Oldham (NBC), Suresh Patel (NBC/NCC), Emma Roberts (NBC), Catherine Tarbun (SNC) and Lesley Woolnough (DDC).

2. TO APPROVE THE MINUTES OF THE MEETING HELD ON 2ND JUNE 2020

RESOLVED: That the minutes of the meeting held on 2nd June 2020 be approved as a true and accurate record.

3. DECLARATIONS OF INTEREST

The Chair declared an interest in Item 09 (West Northamptonshire Shadow Authority Scheme of Allowances).

4. TO RECEIVE ANNOUNCEMENTS FROM THE CHAIR

The Chair reminded members to use the 'raise hand' function when indicating a wish to address the meeting.

5. TO RECEIVE STATEMENTS FROM MEMBERS OF THE PUBLIC

Mr Alvarez Wilkinson addressed the Shadow Authority and spoke in support of Item 11 a). He described the move to unitary authorities as an anxious time for staff and asked the Shadow Authority to engage openly with staff. He highlighted the warm working relationship district and borough council staff have with their employer and asserted that this was within the framework of national terms and conditions.

Mr John Hunt addressed the Shadow Authority and spoke in support of Item 11 b). He highlighted the work of the Environment Task and Finish Group and spoke about the importance of rural transport as a factor in fighting climate change. He called on the authority to ensure the funding required to

safeguard such services could be secured.

The Chair invited members to note a written statement submitted by Mr Steve Miller concerning Item 11 c), copies of which had previously been circulated.

6. TO RECEIVE THE RECORD OF DECISIONS OF THE SHADOW EXECUTIVE COMMITTEE AND THE MINUTES OF OTHER COMMITTEES

The Chair proposed that the records and minutes listed in the agenda be received. There were no objections.

RESOLVED: that the Shadow Authority received the records of decisions of the Shadow Executive Committee and the minutes of other committees as follows:

- 1. Shadow Executive Committee – 9th June 2020**
- 2. Shadow Executive Committee – 23rd June 2020**
- 3. Shadow Executive Committee – 21st July 2020**
- 4. Shadow Overview & Scrutiny Committee – 30th June 2020 (draft)**
- 5. Shadow Senior Appointments Committee – 7th July 2020 (draft)**

7. QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC

The Chair advised the Shadow Authority that eight questions had been received from Shadow Councillors and members of the public and that the answers had been circulated in accordance with the Constitution. Questions and answers were given as tabled unless where stated. Supplementary questions were asked as detailed below.

In response to a supplementary question relating to question 1, Councillor Breese confirmed that, should the impact of COVID-19 be found to affect Northamptonshire County Council's reserves in future, the position would be reported to the Shadow Authority.

In response to a supplementary question relating to question 2, Councillor Nunn confirmed that local plans were matters for each district to consider, but that future changes would be undertaken by the new unitary authority.

In response to a supplementary question relating to question 3, Councillor McCord confirmed that the data referred to in the answer is available to all members via the links provided.

In response to a supplementary question relating to question 4, Councillor Nunn confirmed he would follow up the supplementary question with Councillor Ashraf.

In response to a supplementary question relating to question 6, Councillor Auger confirmed that the proposed new school would create more green space in Daventry, as well as providing high quality education in the district.

In response to a supplementary question relating to question 7, Councillor McCord confirmed that the membership of the task and finish groups would not change because of the potential implications on political balance.

8. APPOINTMENT OF THE CHIEF EXECUTIVE AND HEAD OF PAID SERVICE

Councillor McCord proposed the report and the recommendations for adoption. In doing so, he explained that the recruitment process that had been followed was set out in full within the report. He thanked Julie Towers of Penna PLC and Martin Cox and Marie Devlin-Hogg for their work in making the process successful. He advised the Shadow Authority that no objections had been received from the Shadow Executive to the proposed appointment.

Councillor Lofts seconded the report. He advised the Shadow Authority that there had been a good range of candidate and that the process followed had been rigorous.

In response to a question, Councillor McCord advised that he would ask officers to advise on whether

the recruitment costs could be ascertained and shared with Shadow Councillors.

Upon the vote being taken it was **RESOLVED: That**

1. **Anna Earnshaw be confirmed as Chief Executive designate for the West Northamptonshire Shadow Authority from 1 October 2020 and that she be confirmed as the new permanent Chief Executive, Head of Paid Service and Returning Officer for the West Northamptonshire Council from 1 April 2021; and**
2. **A salary of £170,000 (within the advertised salary grade £170,000 - £180,000) be effective from 1 October 2020.**

9. WEST NORTHAMPTONSHIRE SHADOW AUTHORITY SCHEME OF ALLOWANCES

The Chair advised the Shadow Authority that the Monitoring Officer had granted a dispensation to members with an interest to vote on this item. The Chair invited Mr John Cade, Chair of the Independent Remuneration Panel (IRP), to introduce the report. Mr Cade made the following points:

- The Shadow Authority had a legal duty to consider the IRP's recommendations;
- He thanked Susan Zeiss and Tracy Tiff for supporting the Panel's work;
- The Panel's remit was defined by Article 10 of the Northamptonshire Structural Change Order;
- The Panel had recommended a basic allowance of zero. The Panel had generally recommended special responsibility allowances be set at zero, but had made exceptions for the Chair of the Shadow Authority and the Chair of the Shadow Overview and Scrutiny Committee. He explained that chairing both bodies was a complex task and was important to securing good governance.

Councillor Nunn proposed the report and the recommendations for adoption.

Councillor Russell seconded the report.

Councillors Rawlinson proposed an amendment as follows:

In appendix 2 to the report:

- a) paragraph 1.2 be amended to read "The amount of special responsibility allowances payable to Members by the West Northamptonshire Shadow Authority will be set at nil."
- b) And the following text be deleted:
"subject to the following exceptions:

Chair of the Shadow Overview and Scrutiny Committee: The SRA for the Chair of the Shadow Overview and Scrutiny Committee will be set at £6,459.

Chair of the West Northamptonshire Shadow Authority: The SRA for the Chair of the Shadow Overview and Scrutiny Committee will be set at £5,000."

In doing so, he advised the Shadow Authority that he felt the allowances recommended were disproportionate.

Councillor John Shephard seconded the amendment and pointed out that after the IRP had drafted its report, the Chair had been made Chair of Daventry District Council.

Councillors commented as follows:

- The Shadow Council should be mindful of financial hardship suffered by residents of Northamptonshire as a result of COVID-19 measures;
- The IRP's recommendations should be adopted. Individual councillors had the option to refuse any allowance payable.

In responding, Mr Cade explained that the Panel had recommended that only one special responsibility allowance could be paid, so any councillor who had the option to receive two allowances would have to choose which they would receive.

Upon the vote being taken on the amendment it was **RESOLVED: that the Shadow Authority adopted the following amendment to Appendix 2 to the report:**

- a) paragraph 1.2 amended to read “The amount of special responsibility allowances payable to Members by the West Northamptonshire Shadow Authority will be set at nil.”
- b) And the following text be deleted:
*“subject to the following exceptions:
 Chair of the Shadow Overview and Scrutiny Committee: The SRA for the Chair of the Shadow Overview and Scrutiny Committee will be set at £6,459.
 Chair of the West Northamptonshire Shadow Authority: The SRA for the Chair of the Shadow Overview and Scrutiny Committee will be set at £5,000.”*

Upon the vote being taken on the substantive motion (as amended) it was **RESOLVED: that the Shadow Authority**

- 1. Had regard to the recommendations made by the Independent Remuneration Panel;
- 2. Adopted the Members’ Allowances Scheme at Appendix 2 to the report, subject to the following amendment:
 - c) paragraph 1.2 amended to read “The amount of special responsibility allowances payable to Members by the West Northamptonshire Shadow Authority will be set at nil.”
 - d) And the following text be deleted:
*“subject to the following exceptions:
 Chair of the Shadow Overview and Scrutiny Committee: The SRA for the Chair of the Shadow Overview and Scrutiny Committee will be set at £6,459.
 Chair of the West Northamptonshire Shadow Authority: The SRA for the Chair of the Shadow Overview and Scrutiny Committee will be set at £5,000.”*
- 3. Delegated authority to the Interim Monitoring Officer to:
 - a) make the necessary changes to the Members’ Allowances Scheme in the Shadow Authority’s Constitution to reflect the Shadow Authority’s decision, to include the full schedule of rates and allowances and terms and conditions; and
 - b) make arrangements for the publicity that the Shadow Authority is required to undertake in accordance with Regulation 16 of the Local Authorities (Members’ Allowances) (England) Regulations 2003.

10. WEST NORTHAMPTONSHIRE SHADOW AUTHORITY GOVERNANCE

Councillor Brown proposed the report and the recommendations for adoption.

Councillor Beardsworth seconded the report.

In response to questions, the Monitoring Officer advised that the Independent Person could be paid expenses. She also confirmed that the wording of the second paragraph of the Code of Conduct would be re-examined by the Governance Task and Finish Group.

RESOLVED: that the Shadow Authority:

- 1. Noted and approved the changes to committee membership set out in section 3.1 of the report;
- 2. Noted and approved the updates to the Constitution that have been made by the Monitoring Officer under powers delegated by the Shadow Authority as set out in section 3.2 of the report; and
- 3. Noted and approved the appointment of Mr Tom Edwards as Independent Person to the Shadow Authority, as set out in section 3.3 of the report.

11 A) MOTION SUBMITTED BY COUNCILLOR WENDY RANDALL

Councillor Randall proposed the motion for adoption and stressed its importance.

Councillor Roy seconded the motion.

Councillor McCord proposed an amendment to the motion. In doing so, he emphasised the need to move on from the past and stressed the importance of the new authority being perceived as an employer of choice. The amended motion to read:

“This Shadow Authority recognises the role of the Trade Unions as a key stakeholder in the transition to the West Northants Council. We will continue to communicate with all the trade unions to ensure we maximise the goodwill and expertise of the staff body in managing the challenges of reorganisation. This Shadow Authority will seek to recommend to the new authority that it continues to work in partnership with all the trade unions and ensure regular dialogue and comprehensive communications; and

This Shadow Authority commits itself to provide future employees with information about trade unions in the induction packs for new staff, including senior appointments.”

Councillor Nunn seconded the amendment.

At the Chair’s invitation, Councillor Randall indicated that she accepted the amendment. Councillors commented on the motion (as amended) as follows:

- A healthy relationship with trade unions could only benefit staff. Trade unions could also bring significant expertise to bear on any issues faced by the future authority;
- Mistakes had been made in the past and staff left underpaid as a result.

Upon the vote being taken it was **RESOLVED: that the following motion was approved as amended:**

“This Shadow Authority recognises the role of the Trade Unions as a key stakeholder in the transition to the West Northants Council. We will continue to communicate with all the trade unions to ensure we maximise the goodwill and expertise of the staff body in managing the challenges of reorganisation. This Shadow Authority will seek to recommend to the new authority that it continues to work in partnership with all the trade unions and ensure regular dialogue and comprehensive communications; and

This Shadow Authority commits itself to provide future employees with information about trade unions in the induction packs for new staff, including senior appointments.”

11. B) MOTION SUBMITTED BY COUNCILLOR ZOE SMITH

The Chair explained that in accordance with Appendix 2 to the Shadow Authority’s Procedure Rules, the subject of this motion fell solely within the powers, duties and responsibilities of the Shadow Executive Committee. In accordance with the Constitution the motion must, when moved and seconded, stand referred to the Shadow Executive Committee to determine and there would be no vote on the motion.

Councillor Zoe Smith proposed the motion. In doing so, she explained that several authorities in West Northamptonshire had declared a climate emergency and stated that climate change continued to cause problems for communities.

Councillor Stone seconded the motion and stressed the importance of drawing on the expertise available within the community to help the planet recover. She expressed concern that the Shadow Authority would not be able to take vote on the motion.

Councillors commented as follows:

- The membership of the Environment Task and Finish Group should include representatives of climate groups;
- Issues experienced by citizens with disabilities should be considered; and
- Concern was expressed that this motion, as well as the following motion, would stand referred to the Shadow Executive rather than be subject to a vote at the meeting. It was suggested that the Governance Task and Finish Group consider this aspect of the Constitution at its next meeting.

The motion stood referred to the Shadow Executive Committee in accordance with the provisions of Appendix 2 to the Shadow Authority’s Meeting Procedure Rules:

“Our Sovereign Councils have agreed there is a climate emergency. As the shadow successor authority, we have agreed a task and finish environment group to advise on the way forward. We call on this group to consider:

- how best to draw on the knowledge, expertise and commitment of climate emergency Groups;
- how to engage all partners in this issue; and
- how to put the climate emergency on everyone’s agenda and in everyone’s work plan.”

11. C) MOTION SUBMITTED BY COUNCILLOR JONATHAN HARRIS

The Chair explained that in accordance with Appendix 2 to the Shadow Authority’s Procedure Rules, the subject of this motion fell solely within the powers, duties and responsibilities of the Shadow Executive Committee. In accordance with the Constitution the motion must, when moved and seconded, stand referred to the Shadow Executive Committee to determine and there would be no vote on the motion.

Councillor Harris proposed the motion. In doing so, he highlighted public dissatisfaction with road maintenance and the cost of compensating those whose vehicles had been damaged. He also questioned the cost of re-tendering the contract.

Councillor Lofts seconded the motion and expressed concern about the democratic validity of a decision that he perceived would bind the future authority.

Councillors commented as follows:

- The procurement process should be paused to enable councillors to take a closer look at the business case;
- The cost-effectiveness of the current contract was questioned;
- The re-tendering costs had been agreed by the Leaders of both Shadow Authorities;
- Some aspects of the contract had been reviewed, leading to the transfer of some 60 staff back to Northamptonshire County Council; and
- The two new authorities would be responsible for signing the new contract.

The Chief Executive of Northamptonshire County Council confirmed that the new contracts would be signed by the new authorities.

The motion stood referred to the Shadow Executive Committee in accordance with the provisions of Appendix 2 to the Shadow Authority’s Meeting Procedure Rules:

“The recent decision by NCC to go ahead with arranging and awarding the Highways Maintenance Contract is premature. The new West Northamptonshire Council should make these decisions as the contract need not start until 2022 and its impact will be felt for years to come.

This Shadow Council is asked, therefore, to request that NCC does not adopt a new Highways Maintenance Contract covering West Northamptonshire and that approval of any contract is deferred until it can be considered by the new West Northamptonshire Council in 2021 and as part of that process, the option of bringing the maintenance work in-house is thoroughly assessed.”

There being no further business, the meeting ended at 9.10pm

