

West Northamptonshire Shadow Authority

15th September 2020 7:00pm

Shadow Councillors Present:

Councillor	Authority	Councillor	Authority
Mark Allen	SNC	Lauryn Harrington-Carter	DDC
Johnnie Amos	DDC	Jonathan Harris	DDC
Tony Ansell	NBC	Rosie Herring	SNC
Rufia Ashraf	NBC	James Hill	NBC
Robert Atkinson	SNC	Alan Hills	DDC
Richard Auger	DDC/NCC	Steven Hollowell	SNC
Mohammed Azizur Rahman	NBC	Amy Howard	DDC/NCC
Anthony Bagot-Webb	SNC	Cecile Irving-Swift	DDC/NCC
Fiona Baker	SNC/NCC	David James	DDC
Sandra Barnes MBE	SNC	Martin Johns	SNC
Sally Beardsworth	NBC	Paul Joyce	NBC
Phil Bignell	SNC	Samuel Kilby-Shaw	NBC
Caryl Billingham MBE	SNC	Anna King	NBC
Jane Birch	NBC/NCC	Jamie Lane	NBC
Rebecca Breese	SNC/NCC	Phil Larratt	NBC
Adam Brown	DDC/NCC	Chris Lofts	SNC
John Budden	SNC	Catherine Lomax	DDC
Nick Bunting	DDC	Malcolm Longley	DDC/NCC
Muna Cali	NBC	Dennis Loveland	SNC
Alan Chantler	DDC	Christopher Malpas	NBC
Pinder Chauhan (Deputy Chair)	NCC	Charles Manners	SNC
Nazim Choudary	NBC	Brian Markham	NBC
Carole Clarke	SNC	Mary Markham	NBC
Roger Clarke	SNC	Les Marriott	NBC
Stephen Clarke	SNC	Peter Matten	DDC
Daniel Cribbin	DDC	Ian McCord	SNC
Stephen Dabbs	DDC	Arthur McCutcheon	NBC
Hywel Davies	SNC	Abigail Medina	SNC
Peter Davies	SNC	Dennis Meredith	NBC/NCC
Janice Duffy	NBC	Chris Millar (Chair)	DDC
Gareth Eales	NBC/NCC	Colin Morgan	DDC
Terrie Eales	NBC	Jonathan Nunn	NBC
Brandon Eldred	NBC	Alice Ord	SNC
Penelope Flavell	NBC	Kevin Parker	DDC
Rupert Frost	DDC	Suresh Patel	NBC/NCC
Jo Gilford	DDC	Jason Pritchard	DDC
Matt Golby	NBC/NCC	Ken Pritchard	SNC
Andre Gonzalez de Savage	NCC	Peter Rawlinson	SNC
Andrew Grant	SNC	Emma Roberts	NBC
Luke Graystone	NBC	Catherine Russell	NBC
Mike Hallam	NBC/NCC	Lisa Samiotis	SNC
Enam Haque	NBC	Judy Shephard	NCC
David Harries BEM	SNC	David Smith	DDC

Zoe Smith	NBC	Mike Warren	DDC
Danielle Stone	NBC/NCC	Mark Wesley	DDC
Winston Strachan	NCC	Elaine Wiltshire	SNC
Catherine Tarbun	SNC	Paul Wiltshire	SNC
Allen Walker	SNC/NCC	Lesley Woolnough	DDC

Officers in attendance:

Ed Bostock	Democratic Services Officer, NBC
George Candler	Interim Chief Executive, West Northamptonshire Shadow Authority
Martin Cox	Programme Lead, Corporate Programme, Future Northants Programme
Marie Devlin-Hogg	HR Enabler, Future Northants Programme
Anna Earnshaw	Deputy Chief Executive & Director of Adult's Services, Public Health and Wellbeing
Richard Ellis	Chief Executive, DDC
Theresa Grant	Chief Executive, NCC and Strategic Delivery Director, Northamptonshire LGR Programme
Paul Hanson	Democratic Services Manager, NCC
Paul Helsby	Programme Director, Northamptonshire Unitary Integrated Programme
Martin Henry	Interim Chief Finance Officer, West Northamptonshire Shadow Authority
Kathryn Holton	Democratic Services Officer, DDC
Maisie McInnes	Democratic Services Officer, NBC
Alex Melia	Democratic Services Officer, West Northamptonshire Shadow Authority
Tracy Tiff	Democratic Services Manager, NBC
Ian Vincent	Chief Executive, SNC
Richard Woods	Democratic Services Officer, SNC
Susan Zeiss	Interim Monitoring Officer, West Northamptonshire Shadow Authority

1. APOLOGIES

Apologies for absence were received from Councillors Ann Addison (SNC), Dermot Bambridge (SNC), Alan Bottwood (NBC), Robin Brown (NCC), Clement Chunga (NBC), Karen Cooper (SNC), Wayne Howard (DDC), Brian Oldham (NBC), Ken Ritchie (DDC), Sandi Smallman (SNC) and Graham Walker (NBC).

2. TO APPROVE THE MINUTES OF THE MEETING HELD ON THE 18th AUGUST 2020

RESOLVED: That the Shadow Authority agreed the minutes of the meeting on the 18th August 2020 as a true and accurate record subject to Shadow Councillor Arthur McCutcheon being recorded as having attended the meeting.

3. DECLARATIONS OF INTEREST

There were none.

4. TO RECEIVE ANNOUNCEMENTS FROM THE CHAIR

The Chair asked Members to use the raise hand function should they wish to indicate to speak and ensure they unmute their microphones when speaking. All members should mute their microphones unless invited to speak by the Chair.

5. TO RECEIVE STATEMENTS FROM MEMBERS OF THE PUBLIC

There were none.

6. QUESTIONS SUBMITTED BY COUNCILLORS AND MEMBERS OF THE PUBLIC

The Chair advised the Shadow Authority that fifteen 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 3, Councillor Nunn confirmed that at present he considered a briefing unnecessary but if the evidence suggested one is required, this would be considered.

In response to a supplementary question relating to question 5, Councillor Larratt confirmed that Members of the Shadow Authority fully appreciate the concerns and support the ideals expressed in the question. Councillor Larratt also noted that membership of the Shadow Authority and Executive has been determined by parliament, and hoped that things may change going forward after prescription of the Structural Change Order is removed.

In response to a supplementary question relating to question 7, Councillor Breese confirmed that the data from Northampton suggests the service is popular despite the charge, and residents will make their own decisions based on the outcome of the Task & Finish group.

In response to a supplementary question relating to question 8, Councillor Breese confirmed that the Shadow Authority is still determined to deliver Safe and Legal Plus against the unprecedented background of Covid-19, and whatever method is recommended to the Shadow Authority will be adopted. Councillor Breese also noted that any potential tax increases would have to remain in line with government recommendations.

In response to a supplementary question relating to question 9, Councillor Breese confirmed that as the Task & Finish group continues its work, the Overview & Scrutiny committee have expressed a keen interest and regular updates will be provided through this.

7. 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 record of decisions from the Shadow Executive Committee and the minutes of other Committees as follows:

- a) Shadow Executive Committee – 25th August 2020
- b) Shadow Overview & Scrutiny Committee – 17th August 2020.

8. APPOINTMENT OF THE STATUTORY OFFICERS AND OTHER SENIOR OFFICERS

Councillor McCord proposed the report and the recommendations for adoption. In doing so, he offered thanks to the Members and Officers who aided in the numerous appointment panels and donated a significant amount of time to enable the appointments.

The recommendation was seconded by Councillor Lofts. He praised the robustness of the appointment process and noted that the quality of candidates had been high throughout the process.

Councillors commented as follows:

- It was noted that a positive gender balance has been achieved amongst the senior leadership team, but there were no black or minority ethnic candidates, which was suggested as something to be reflected upon in future recruitment processes.
- It was suggested that pension contributions should also be incorporated into the declaration of salary levels because of the increase this causes in the Authority's liabilities.

Upon the vote being taken, it was:

RESOLVED: The Shadow Authority agreed the appointment of:

- a) Martin Henry as Director of Finance and Statutory Section 151 Officer (Chief Finance Officer); to be appointed to a salary of £130,000 (within the advertised grade of £130, 000 - £140, 000);
- b) Catherine Whitehead as Director of Legal and Democratic Services and Statutory Monitoring Officer; to be appointed to a salary of £110, 000 (within the advertised grade of £110, 000 - £115,000);
- c) Stuart Lackenby as Director of Adult Social Service and Statutory DASS officer; to be appointed to a salary of £130, 000 (within the advertised grade of £130, 000 - £140, 000);
- d) Cathi Hadley as Shared Director of Children's Services and Statutory DCS (joint with North Northamptonshire Council); to be appointed to a salary of £150, 000 (within the advertised grade of £145,000 - £155, 000); and
- e) Andrew Hunkin as interim Monitoring Officer for the West Northamptonshire Shadow Authority with effect from 21st September 2020 until the permanent Director of Legal and Democratic Services and Statutory Monitoring Officer is confirmed and commences their appointment.

9. WEST NORTHAMPTONSHIRE UNITARY COUNCIL DRAFT BLUEPRINT

Councillor McCord proposed the report and the recommendations for adoption.

Councillor Nunn seconded the report.

The Deputy Chief Executive & Director of Adult's Services, Public Health and Wellbeing introduced the report and highlighted the salient points:

- The purpose of the report was to give an overview to Members on how services were expected to be organised. These services have been aligned back to the Member portfolios that have been agreed in the West, to demonstrate how these services may operate and be split.

- Members were asked to note that the detailed blueprint was not different from the high-level blueprint presented, but it offered greater depth to try and answer questions.
- The blueprint also set out the reasons behind why some services have not been split, but rather hosted or led by one of the two Authorities. School Admissions was offered as an example, as this service would undergo its busiest period at the time of a potential separation.
- The blueprint was not a policy document or a structure chart but was designed to provide a vision of the transformative opportunities available. It would be for Members and the administration of the respective Authorities to set the corporate priorities.
- The impact of Covid-19 was highlighted in the report, with a focus on ensuring this did not affect services and businesses being safe and legal when transferred.
- It was also noted that a key element of the report was identifying areas to perform the “plus” element of safe and legal plus.
- The final two pages set out key steps that need to be taken to realise the next stages of the programme.

Councillor Stone proposed an amendment to refer the Blueprint to the Shadow Overview and Scrutiny Committee and stressed the importance of the Scrutiny process. She suggested that the report be recommended to the Overview & Scrutiny Committee.

Councillor Birch seconded the amendment.

Councillors commented on the proposed amendment as follows:

- Members expressed concern that opposition councillors had not been adequately involved in the designing of the report, given the volume of the information being presented.
- It was noted that time the blueprint and the information inside is being designed with time restrictions in mind. As such, it was suggested that the proposed amendment may slow down progress towards designing the outlook of the future West Northamptonshire Unitary Authority.
- Members were asked to consider the time and effort given to creating the blueprint up to this point.
- It was noted that the report has already been considered at the Overview & Scrutiny Committee meeting on September 8th 2020, with recommendation to note the contents of the report, rather than endorse.
- The word “approve” was highlighted within the recommendations set out in the report.
- Members were asked to note that, irrespective of individual views on the proposed amendment, Overview & Scrutiny is a key part of the democratic process and not an attempt to sabotage progress.

In response to questions, the Chief Executive, NCC and Strategic Delivery Director, Northamptonshire LGR Programme emphasised that answers were given in the interests of defending the democratic process, rather than the administration. It was stressed that senior officers have offered to take opposition Group Leaders through the blueprint to increase engagement and cooperation and to take on feedback. The blueprint is not yet final; therefore, development was a necessary part of the process. It was also noted that the power_within the Structural Change Order to design a Unitary Authority was within the Shadow Executive, not the Shadow Authority. It was for the Authority to be briefed, advised and updated.

In response to questions, the Deputy Chief Executive and Director of Adults' Services, Public Health and Wellbeing confirmed that the document being presented had previously been sent to the Overview & Scrutiny committee. It was reiterated that the blueprint was not designed to dictate Council policy and the corporate plan, but was intended to ensure safe and legal services are able to operate on Vesting Day with the impact of Covid-19 still prevalent. Members were asked for their approval on functional issues and not policy considerations.

In response to questions, the Programme Director, Northamptonshire Unitary Integrated Programme emphasised that the version of the Blueprint being presented had been shared with Trade Unions, and that feedback will be taken to the Shadow Executive on 22nd September 2020.

Upon the vote being taken it was **RESOLVED: The Shadow Authority rejected the amendment.**

Councillor Gonzalez de Savage proposed an amendment and considered it beneficial to remove the word "approve" at recommendation 2.1.1 to the report. The recommendation now to read:

"It is recommended that the Shadow Authority:

a) Notes the progress made on preparation for the new Unitary Council and the Draft Blueprint including how the services are likely to be configured within the new Council, taking into account the arrangements agreed with the Executive with regard Northamptonshire County Council (NCC) Services and aggregation of District and Borough Services;"

At the Chair's invitation, Councillor McCord indicated that he accepted the amendment. Councillors commented on the motion (as amended) as follows:

- Concerns were raised that the blueprint did not set out how residents in disadvantaged areas would benefit from the proposals, with the number of community hubs for adult social care being highlighted.
- Members were asked to note that the proposals were set out at page 37 of the report.
- Members expressed concern that without a glossary there may be confusion owing to the volume of acronyms within the report.
- The Shadow Authority should be mindful of this debate taking place in a public forum, and that collectively Members need to reflect our shared aims and ideals.
- Some Members expressed concern that they still considered elements of the blueprint to constitute policy. It was emphasised that clarity is needed in communicating the direction of travel for the programme.

In response to questions, the Deputy Chief Executive and Director of Adults' Services, Public Health and Wellbeing commented:

- Engagement with Members had been affected by the consequences of Covid-19, and that further opportunities to meet with Members would occur.
- It was reiterated that the Blueprint is not intended as a policy document.

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

a) Noted the progress made on preparation for the new Unitary Council and the Draft Blueprint including how the services are likely to be configured within the new Council, taking into account the arrangements agreed with the Executive with regard Northamptonshire County Council (NCC) Services and aggregation of District and Borough Services;

- b) Noted the aspirations and opportunities set out in the papers as a result of bringing services together and the underpinning capabilities being progressed in relation to our digital transformation as well as consider future aspirations for the People and Place of West Northamptonshire.**
- c) Endorsed the wider engagement programme as set out in section report with all Members and stakeholders on the content of the blueprint and more detailed work that sits below the summary presented today, in order to understand the service plans for day 1.**

10. UPDATES TO THE SHADOW AUTHORITY'S CONSTITUTION

Councillor Brown proposed the report and the recommendations for adoption. He stated that the proposed updates were designed to demonstrate adherence to the Nolan Principles of Public Life, whilst also lessening the time limits on debate, citing Item 6 of this meeting as an example of the potential issues caused by such restrictions. He also noted that this will be considered further by the task & finish group, and stressed the need to facilitate efficient meetings but also allow adequate time for the democratic process to take place.

Councillor Larratt seconded the report.

Councillor McCord proposed an amendment, suggesting that care should be taken with removing time limits on debate, taking heed of the law and its restrictions, for example: areas of debate that are reserved for the Shadow Executive. He also stressed that it is important for the efficient running of meetings that some form of time limit is observed. Councillor McCord suggested amending the word in the report from include to exclude, whilst also deleting recommendation three. This would double the amount of time available, allowing multiple speakers not including the proposers and seconders.

Councillor Patel seconded the amendment.

Councillors commented on the report (as amended) as follows:

- It was argued that the original report is a piece of cross-party collaboration via a task & finish group, which allows for proportionate discussion on items.

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

- a) Recommendation 3 was deleted.
- b) Paragraph 7 of Appendix 2 was amended to delete the word “include” and replace with “exclude”. The paragraph now to read:

“ If the subject of any motion of which notice has been duly given comes solely within the powers, duties and responsibilities of the Shadow Executive Committee, it shall, when it has been moved and seconded, stand referred to the Shadow Executive Committee to determine, subject to the advice from any other body whose views are sought as determined by Shadow Council. The mover, on formally moving the motion, has the right to speak to the Motion. The seconder may also speak to the Motion. The Chair will allow a period of fifteen minutes for a debate on any such notices of motion. This period shall exclude any speeches made by the mover and seconder of the motion in question. At the end of the debate if sooner or upon the expiration of the fifteen minutes, the appropriate Shadow Executive Committee Members shall have the opportunity to respond. No

speeches including the response shall exceed 3 minutes. No amendments to the motion may be moved. The motion will then stand referred to the Shadow Executive Committee.”

Councillors commented on the substantive item as follows:

- It was suggested that the report is a positive example of cross party collaboration.
- Giving more emphasis to the Nolan Principles within the constitution going forward was appreciated.

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

- 1) Noted the recommendation of the Governance Task & Finish Group to amend the Shadow Authority's Constitution as set out in Section 3 of the report; and**
- 2) Approved wording of the proposed amendment to be made to the Code of Conduct and Paragraph 7 of Appendix 2 to Part 4D of the Constitution, set out in paragraph 3.2.2 to the report.**

11. MOTIONS ON NOTICE

11a) Councillor Johns proposed the motion and stressed its importance. He argued that the majority of planning applications were already given approval, suggesting that the White Paper was simply a developer's charter, which proposes to abandon local planning principles in favour of a centrally developed algorithm. He also suggested that section 106 agreements, although flawed, do allow for social housing and community infrastructure. As such, scrapping section 106 would seriously impact those on social housing waiting lists in the area.

Councillor Markham seconded the motion and expressed concern that the proposals of the White Paper would remove local democracy, noting that local plans are already bound by national guidelines.

Councillor McCord proposed an amendment to the motion. In doing so, he noted that he held no significant difference of opinion, but desired a motion that all Members were able to coalesce around. He stressed the need to find a way of balancing the interests of all involved, the need to find a way to issue control over the rate of development and the need to issue more viability tests to ensure that contracts with the community are upheld. He also noted that whilst decisions currently sit with sovereign planning authorities, the Shadow Authority should offer an opinion as the future West Northamptonshire Authority will deal with issues. The amended motion to read:

“This Shadow Authority notes:

- 1) The publication of the White Paper, “Planning for the Future” on 6 August 2020, which sets out proposals on reforms to the planning process for the future.
 - That the vast majority of planning applications are given the go ahead by local authorities with permission granted to around 9 out of 10 applications.
 - That research by the Local Government Association has said that there are existing planning permissions for more than one million homes that have not yet been started.

This Shadow Authority is concerned that the proposals seek to:

- 1) Reduce or remove the right of residents to object to applications near them.
- 2) Grant automatic rights for developers to build on land identified as “for growth”.

- 3) Remove section 106 payments for infrastructure and their replacement with a national levy.

This Shadow Authority resolves to:

- 1) Take part in the consultation in the planning proposals, and to make representations about the proposals as outlined in this motion.
- 2) Write to and lobby all of our local Members of Parliament, urging them to challenge these proposals and to circulate their replies to members.
- 3) Publish its consultation response through the Future Northants webpages."

Councillor Nunn seconded the amendment and stressed the importance of local input on helping to shape communities.

At the Chair's invitation, Councillor Johns indicated that he accepted the amendment. Councillors commented on the motion (as amended) as follows:

- It was noted that the Conservative Group on the LGA are against the proposals set out in the White Paper.

Councillors commented on the substantive motion as follows:

- The potential impact of the proposals was highlighted, as well as the importance of retaining rules and guidelines with regards to local planning policy.

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

"This Shadow Authority notes:

- 1) **The publication of the White Paper, "Planning for the Future" on 6 August 2020, which sets out proposals on reforms to the planning process for the future.**
 - **That the vast majority of planning applications are given the go ahead by local authorities with permission granted to around 9 out of 10 applications.**
 - **That research by the Local Government Association has said that there are existing planning permissions for more than one million homes that have not yet been started.**

This Shadow Authority is concerned that the proposals seek to:

- 1) **Reduce or remove the right of residents to object to applications near them.**
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- 3) **Remove section 106 payments for infrastructure and their replacement with a national levy.**

This Shadow Authority resolves to:

- 1) **Take part in the consultation in the planning proposals, and to make representations about the proposals as outlined in this motion.**
- 2) **Write to and lobby all of our local Members of Parliament, urging them to challenge these proposals and to circulate their replies to members.**
- 3) **Publish its consultation response through the Future Northants webpages."**

Motion 11b)

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

Councillor Marriott seconded the motion.

Councillor Hill proposed an amendment, stating that he recognised the importance of a neighbourhood plan and agreed with much of the substantive motion.

Councillor Bignell seconded the amendment.

At the Chair's invitation, Councillor Haque indicated that he accepted the amendment. Councillors commented on the motion (as amended) as follows:

- It was suggested that a neighbourhood plan gives the local community an opportunity to shape a vision for the future, which is ever more important due to the proposed deregulation of planning procedures.
- Concerns were raised that although the amendment was accepted, it may have watered down the support offered to those engaged in the neighbourhood plan.
- It was suggested that leading into new authority, Members send out the right message in engaging with communities and planners.
- The need for careful consideration of the motion was stressed, with reference made to the difficulty of having sacrosanct planning policy before a budget is set.

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

"With the proposed deregulation of planning, giving developers ever increasing control over our environments, it is more important than ever to think local and act local. The Localism Act 2011 made provision for Neighbourhood Forums to undertake Neighbourhood Planning. We have examples of excellent Neighbourhood Plans in West Northants. All our communities deserve the same opportunity. Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided, and grant planning permission for the new buildings they want to see go ahead. Neighbourhood planning provides a powerful set of tools for local people to plan for the types of development to meet their community's needs and where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area. This Shadow Authority resolves to support Neighbourhood planning as we progress the blueprint and plans for the new Council."

EXEMPT ITEMS

There were none.

URGENT ITEMS

There were none.

There being no further business, the meeting ended at 21:19.