



Democracy and Standards Committee

A meeting of the Democracy and Standards Committee will be held at the Jeffery Room, The Guildhall, Northampton on Thursday 9 March 2023 at 6.00 pm

Agenda

1.	Apologies for Absence and Notification of Substitute Members
2.	Declarations of Interest Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
3.	Minutes (Pages 5 - 10) To confirm the Minutes of the meeting of the Committee held on 12 th January 2023.
4.	Chair's Announcements To receive communications from the Chair.
5.	Proposed changes to Committees (Pages 11 - 30)
6.	Updates to the Constitution (Pages 31 - 38)
7.	Councillor Development Programme 2023 -2025 - Progress report (Pages 39 - 44) To consider the Councillor Development Programme 2023/2025
8.	Boundary Review - verbal update
9.	Review of Committee Work Programme 2023-24 (Pages 45 - 46)

	To review the Work Programme 2023/2024 for the Democracy and Standards Committee
10.	Urgent Business The Chairman to advise whether they have agreed to any items of urgent business being admitted to the agenda.
11.	Exclusion of Press and Public In respect of the following items the Chairman may move the resolution set out below, on the grounds that if the public were present it would be likely that exempt information (information regarded as private for the purposes of the Local Government Act 1972) would be disclosed to them: The Committee is requested to resolve: "That under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that if the public were present it would be likely that exempt information under Part 1 of Schedule 12A to the Act of the descriptions against each item would be disclosed to them"

Catherine Whitehead
Proper Officer
1 March 2023

Democracy and Standards Committee Members:

Councillor Suresh Patel (Chair)

Councillor Andrew Grant (Vice-Chair)

Councillor Mike Warren

Councillor Daniel Cribbin

Councillor Danielle Stone

Councillor Jonathan Harris

Councillor Andrew Kilbride

Councillor Cecile Irving-Swift

Councillor Laura Stevenson

Information about this Agenda

Apologies for Absence

Apologies for absence and the appointment of substitute Members should be notified to democraticservices@westnorthants.gov.uk prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare that fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Evacuation Procedure

If a continuous fire alarm sounds you must evacuate the building via the nearest available fire exit. Members and visitors should proceed to the assembly area as directed by Democratic Services staff and await further instructions.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

If you have any queries about this agenda please contact Tracy Tiff & Marina Watkins via the following:

Tel: 01604 837408 & 01327 302236

Email: democraticservices@westnorthants.gov.uk

Or by writing to:

West Northamptonshire Council
One Angel Square
Angel Street
Northampton
NN1 1ED

This page is intentionally left blank



Democracy and Standards Committee

Minutes of a meeting of the Democracy and Standards Committee held at The Jeffery Room, The Guildhall, Northampton on Thursday 12 January 2023 at 6.00 pm.

Present:

Councillor Suresh Patel (Chair)
 Councillor Andrew Grant (Vice-Chair)
 Councillor Mike Warren
 Councillor Daniel Cribbin
 Councillor Danielle Stone
 Councillor Jonathan Harris
 Councillor Andrew Kilbride

Substitute Members:

Councillor Stephen Hibbert (for Councillor Cecile Irving-Swift)
 Councillor Nigel Hinch (for Councillor Laura Stevenson)

Also Present:

Councillor Adam Brown

Apologies for Absence:

Councillor Cecile Irving-Swift
 Councillor Laura Stevenson

Officers:

Catherine Whitehead, Director of Legal and Democratic (Monitoring Officer)
 Sarah Hall, Deputy Director Law and Governance
 Paul Hanson, Head of Democratic and Elections
 Marianne McCarthy, Solicitor
 Tracy Tiff, Deputy Democratic Services Manager
 Marina Watkins, Committee Officer
 Jed Scoles, Political Assistant to the Labour Group

58. Declarations of Interest

None advised.

59. Minutes

RESOLVED:

That the Minutes of the Democracy and Standards Committee held on 20th October 2022 be approved and signed as a correct record.

60. **Proposed amendments to the Constitution**

i) Updates to the Constitution – Council Procedure Rules

The Director of Legal and Democratic presented the report which had come forward following a meeting with Group Leaders and Deputy Leaders last year.

Consideration was given to the report with the following points raised:

- The proposal to move the start time of Council meetings to 5pm should be raised with the equalities committee to ensure that those with caring responsibilities etc were not adversely affected.
- The 5pm start could also affect those with full time jobs.
- It was questioned whether the authority could negotiate with employers regarding time off for council meetings.
- Council meetings could make better use of time management, particularly at the beginning of the meetings
- The Committee decided not to further restrict the number of motions allocated to each group
- Opposition group Motions should take priority
- Motions shall be taken in the following order: largest opposition group, second largest opposition group, third largest opposition group and then Motion submitted by a member of the administration group
- The mover of a motion should be limited to a five minute speech and all other speeches to two minutes. The two minute time limit should also apply to asking questions of Portfolio Holders.
- The Committee agreed with the guillotine moving to 9.15pm due to the earlier start time
- It was noted that some Councils provide the blessing 15 minutes prior to the meeting so that those wishing to can partake – this would be looked into

RESOLVED:

The Committee:

- a) Noted the overarching aims and objectives of meetings Full Council and considered how the Council Procedure Rules might be updated to support these aims;
- b) proposed that a start time of 5pm be agreed for meetings of the Full Council
- c) Proposed that the guillotine at Full Council be moved to 9.15pm
- d) recommended to Council that the priority order for consideration of Motions is: Labour, Lib Dem, Independent, Conservative
- e) delegated authority to the Monitoring Officer, in consultation with the Chair of the Committee, to draft any proposed changes in such a way that they are capable of being presented to Council as recommendations.

ii) Proposed changes to Committees

The Director of Legal and Democratic outlined the report detailing the recommendations from two external reviews in relation to the Council's governance arrangements. The Centre for Governance and Scrutiny (CfGS) carried out a review of the Council's scrutiny

function, whilst the Planning Advisory Service (PAS) carried out a peer review of the Council's' planning service.

The report of the Centre for Governance and Scrutiny (CfGS) had been considered by the Scrutiny Committees and it was proposed that recommendation A be accepted, which referred to the preparation of guidance documents relating to the recommended changes.

The review of the planning function covered the whole service and would be submitted to a future Cabinet meeting along with an action plan.

Following a discussion, the following points were made:

- The proposal to split the remit of People Overview and Scrutiny Committee made sense due to the significant service areas currently within its scope
- Consideration should be given to opposition members being appointed as the Chair or Deputy Chair of Scrutiny Committees
- The proposal was to increase the number for Scrutiny Committees from 3 to 4, with 11-12 members on each committee
- It was imperative that the Local Area Planning Committees should enable remote access for speakers.
- A 4pm start time for Planning Committees could result in the loss of some knowledge and experienced members due to work commitments
- The proposals for the Planning Committees were still under consideration, with decisions yet to be made. A further report on the issues would be brought back to Democracy and Standards Committee in March
- Issues were raised regarding the Call-in procedure for Planning Committees which the Director of Legal and Democratic advised could come forward as a separate report

The Committee agreed to accept recommendations a) and h), whilst deferring the remaining recommendations to the March meeting

RESOLVED:

The Democracy and Standards Committee:

- a) Noted the conclusions and recommendations within the report from the Centre for Governance and Scrutiny (CfGS) and the proposed guidance documents and notes which would be prepared to give effect to the recommendations.
- h) Agreed that site visits will be held where there are planning reasons for doing so and that site visits will be arranged by Democratic Services and Members will be accompanied by a Planning Officer on site.

That the following recommendations be deferred to the March meeting:

- b) Approve the splitting of the People Scrutiny Committee to create two new Committees one for Adults and one for Children or one for Health and one for People as set out in paragraph 5.9 below.
- c) Approve the reduction in the number of members of the Scrutiny Committee to 9 per Committee.

- d) Note the conclusions and recommendations of the report from the Planning Advisory Service (PAS) in relation to Planning Committees.
- e) Reduce the number of Planning Committees from 5 to 4 (including Planning Policy Committee).
- f) Agree that the standard start time for Planning Committees is 4 pm.
- g) Agree that Planning Committees should, wherever possible, be webcast.
- i) Agree that the Planning Protocol be amended to reflect the above.

61. Statistics - code of Conduct Arrangements - Annual Review

The Deputy Director Law and Governance provided an update on the number of complaints received and dealt with, in respect of the Code of Conduct Arrangements.

Six complaints were outstanding and one had been referred to an independent investigator. A past complaint had been closed due to the parish councillor resigning. The councillor had since been re-instated and consideration was being given as to whether there was any merit in re-opening the original complaint.

In response to a question, the Deputy Director Law and Governance advised that the subject Member was made aware of complaints and asked for their views.

It was highlighted that a large number of the complaints received were in relation to parish councillors. It was questioned whether this was a training issue. Discussions were ongoing with NCALC as to whether additional support could be provided in this regard.

RESOLVED:

The Democracy and Standards Committee:
Noted the statistics in relation to the number of complaints received and dealt with, in respect of the Code of Member Conduct.

62. Carried Motions on Notice - Predecessor Councils

The Committee considered comments from Councillor Jonathan Harris and Danielle Stone regarding carried Motions from Predecessor Councils.

Councillor Stone considered that a number of legacy Motions covered important matters. Councillor Harris added that further work was required to ascertain whether the Motions had been implemented and in need of being put forward as a new Motion.

The Director of Legal and Democratic advised that any Motions not in the process of being implemented, would need to be brought back for re-adoption. Research would be carried out to find out how other Unitary Authorities dealt with legacy Motions. Suggestions would be made on how to proceed. The Deputy Leader advised that there may be scope for the Conservative group to assist with bringing forward appropriate Motions

RESOLVED:

The Democracy and Standards Committee noted the discussion regarding legacy Motions. The Director of Legal and Democratic would report back to a future meeting on the issue.

63. Councillor Development

The Deputy Director Law and Governance provided an update on member training for the Committee's information and sought support for the classification and requirements in relation to the member training programme. It was proposed to develop a full members' development programme.

Discussion took place regarding the most effective way to identify members' training needs whilst acknowledging that there were 93 members and a limited budget. The preference was for discussions through the political groups and individual committees. A survey could be produced to cover general areas such as finance and housing.

It was noted that external courses could provide valuable information as well as useful networking opportunities.

RESOLVED:

The Democracy and Standards Committee:

- a) Approved the introduction of a four-year rolling Councillor development programme, with a programme being approved and scheduled for 2023-2025 (years 3 and 4); following which a full four year Councillor development programme for 2025-2029 will be produced for the Committee's consideration.
- b) Noted that monthly all Councillor briefing sessions will be added to the Councillor meeting calendar in regular time slots and topics for each session included when agreed.
- c) Agreed that identifying training needs for Councillors is carried out via the political groups, individual committees and a short survey

64. Committee Work Programme 2023/2024

Consideration was given to the Democracy and Standards Committee 2023-24 Work Programme.

RESOLVED:

That the Committee Work Programme is noted.

65. Urgent Business

None advised.

The meeting closed at 7.25 pm

Chair: _____

Date: _____



WEST NORTHAMPTONSHIRE COUNCIL

Democracy and Standards Committee 9 March 2023

Report Title	Proposed Changes to Committees
Report Author	Catherine Whitehead catherine.whitehead@westnorthants.gov.uk

Contributors/Checkers/Approvers

Monitoring Officer	Catherine Whitehead	
Chief Finance Officer (S.151)	Martin Henry	
Communications	Becky Hutson	

List of Appendices

Appendix A – Report of the Centre for Governance and Scrutiny.

1. Purpose of Report

- 1.1 The purpose of this report is to receive the recommendations from two external reviews in relation to the Council's governance arrangements and to make recommendations to Council in relation to proposed changes to the Council's committee arrangements.

2. Executive Summary

- 2.1 The governance arrangements for West Northamptonshire Council were formally adopted by the West Northamptonshire Shadow Authority in March 2021 prior to vesting day. The committee structure of the Council was included within the Council's Constitution. A review of the Constitution was undertaken by the Democracy and Standards Committee in the autumn of 2021, reporting to Council in December 2021 but it did not make any changes to the Committee structure. Since that time, the Democracy and Standards Committee has considered several other suggested changes to the Constitution but the committee structure has remained the same.

- 2.2 This report has been drafted following receipt of two separate reports by external organisations brought in by the Council to review the operation of the Council's Planning Service (including its governance) and the Scrutiny function. Specific recommendations from the Centre for Governance and Scrutiny (CfGS) have been considered by the Co-ordinating Scrutiny Committee.

and each of the Scrutiny Committees informally before being presented to the Democracy and Standards Committee. Consultation has taken place with the Chairs of Planning Committees in relation to some of the conclusions of the report prepared by the LGA Peer Review through the Planning Advisory Service (PAS) to make changes to the Planning Committees.

3. Recommendations

3.1 It is recommended that the Committee:

- a) Note the conclusions and recommendations within the report from the Centre for Governance and Scrutiny (CfGS) and the proposed guidance documents and notes which will be prepared to give effect to the recommendations.
- b) Approve the splitting of the People Scrutiny Committee to create two new Committees one for Adults and one for Children as set out in paragraph 5.9 below.
- c) Approve the reduction in the number of members of the Scrutiny Committee to 11 members per Committee.
- d) Note the conclusions and recommendations of the report from the Planning Advisory Service (PAS) in relation to Planning Committees.
- e) To abolish the existing three local area committees and establish two new Development Control Committees to work across the North of West Northants and the South of West Northants. The new committees will not be area committees.
- f) To retain the Strategic Planning Committee and the Planning Policy Committee as currently structured.
- g) That each of the new Development Control Committees will have 9 members.
- h) Agree that Planning Committees should be set up as webcast meetings, wherever webcast facilities are available.
- i) Agree that across all committees site visits will be held where there are planning reasons for doing so and that site visits will be arranged by Democratic Services and Members will be accompanied by a Planning Officer on site.
- j) Agree that the Planning Protocol be amended to reflect the above.

4. Reason for Recommendations

- a) To respond to the review of the CfGS in relation to the Council's Scrutiny function.
- b) To ensure that the council's Overview and Scrutiny function is effective and reflects national good practice in relation to the role and function of Scrutiny Committees.
- c) To respond to the recommendations of the PAS review.
- d) To support the Council's duty as Local Planning Authority.

5. Report Background

5.1 The Council commissioned the CfGS to advise and support its members and officer in the review of the Council's Scrutiny function. The aim was to ensure that Scrutiny is effective in delivering accountability, improving policy and decision making and that scrutiny makes a quality contribution in the delivery of the Council plans and overall improvement. The review was conducted by Ian Parry, Head of Consultancy, CFGS and Manisha Patel Associate Consultant CFGS.

- 5.2 To carry out the review CfGS met with elected members and officers, including Leader, Cabinet members, Group Leaders, Scrutiny Chairs and members of Scrutiny Committees.

Recommendations from the review

- 5.3 The review conducted by the CfGS found many positive qualities in the Council's Overview and Scrutiny function. The review recognised that there is a good understanding of the importance of Overview and Scrutiny at the Council and the conditions for success are clearly present. The remaining positives are detailed in the CfGS report and are not repeated here as the focus of this report is to set out options for the Council's response. The recommendations from the report are summarised below, alongside options for the Council to choose from in developing a response, or suggestions as to where further consideration and input from members is necessary.
- 5.4 The broad themes that run through the report are:
- Renewed focus on strategic issues that are of importance to communities in West Northamptonshire;
 - Improved focus on output from Scrutiny i.e. challenge and improvement with clear recommendations, rather than updates from services;
 - Clarity about what Scrutiny should expect from Cabinet and vice-versa. Clarity about the role of Cabinet members at scrutiny meetings;
 - An emphasis on scrutiny input at a formative stage in policy development and collaborative working with Cabinet and the establishment of a clear framework for work planning;
 - Reviewing lines of communication between Scrutiny, Cabinet and Directors and developing a framework for maintaining this;
 - Review of MTFs/Budget Scrutiny, taking account of CIPFA guidance.
- 5.5 In response to the review officers met with the Co-ordinating overview and Scrutiny Committee to receive the feedback from Ian Parry, CfGS and to discuss the way forward. As a result officers including the Director of Legal and Democratic Services and the Head of Democratic and Elections met with each of the Scrutiny Committees to discuss the recommendations of the report.
- 5.6 A separate guidance document has been developed through Scrutiny and outside the Constitution to provide a framework for good governance in relation to Scrutiny. The only specific matter requiring a decision of this committee is in relation to the changes to the committees.

Recommendation:

- 5.7 A review of the Scrutiny committee structure – with a view to assessing how the areas of ASC, Children's and Health can have sufficient scrutiny capacity.

Options:

- 5.8 It is understood that Adult Social Care, Children's Services and Health are services that are of great significance to the Council with corresponding levels of risk. The clear implication of

recommendation is that the People Scrutiny Committee should be divided into two new committees: Adults and Health and Children’s. Assuming there is no corresponding move to combine the Corporate and Place Scrutiny Committees, the Council will need to take account of the available resources in amending the structure of Overview and Scrutiny.

- 5.9 Each committee already operates a number of working groups at any one time and there is a need to be mindful of the impact of an additional scrutiny committee on the committee timetable, as well as councillor and officer resource. The impact of the proposal to establish cross-party pre-meetings should also be factored in. It is therefore suggested that the Council move from a model of three committees meeting six times per year to a model of four committees meeting four times per year. The review has emphasised the need to Overview and Scrutiny to be more strategic in nature, so this change will be manageable with appropriate level of focus at meetings and emphasis on task and finish work.
- 5.10 It is also recommended that the size of each committee be amended accordingly. The current committees are large, even taking account of the current size of the Council and could be reviewed in order to ensure the workload of members serving on the four committees is reprofiled accordingly. Three committees of 17 or 15 members could be replaced by four committees of 11 members.

Current Structure	Possible Future Structure
3 x Committees meeting 6 x year (scheduled) No cross-party pre-meetings	4 x Committees meeting 4 x year 4 x cross-party pre-meetings 4 x year
Coordinating Scrutiny Group meeting 6 x year	Scrutiny Triangulation meetings 6 x year
Task & Finish held in last 12 months: Corporate Scrutiny <ul style="list-style-type: none"> • Expenses Policy: 3 meetings • Treasury Management: 4 meetings • Modernising Systems: 3 meetings • Budget Scrutiny: 2 meetings Place Scrutiny <ul style="list-style-type: none"> • Tree Policy: 9 meetings • Active Travel: 4 meetings People Scrutiny <ul style="list-style-type: none"> • CYP Mental health: 10 meetings • iCAN: 5 meetings • Housing Strategy: 2 meetings Total Task & Finish meetings in last 12 months: 42	Task & Finish: In order to maintain focus, each Committee will have no more than three reviews established at any one time (12 in total). These working groups shall be staggered so they are at various stages (i.e. scoping, evidence gathering and drafting recommendations) so as to balance workload.

6. Planning Advisory Service Review

Report

- 6.1 The Planning Advisory Service also prepared a report following a review of the Planning Service. This is a broad review looking at the whole service not just the governance arrangements. The report will be presented to Cabinet on 4th April 2023 together with an action plan, however the report does include conclusions and recommendations in relation to the governance arrangements. The summary findings state:

Summary:

- 6.2 Three area planning committees consider planning applications that are not delegated to officers to determine. Our analysis shows that there is not enough business to warrant three area committees.

Recommendations:

- 6.3 Analyse existing committee decisions and activity to inform a review of the scheme of delegation and the number of committees to provide a committee structure and process fit for a unitary council to:
- a) improve culture and practice of planning committees to reduce the risk to the council including eliminating the use of substitute members on planning committees
 - b) ensure that householder and minor applications only go to committee in exceptional circumstances
 - c) trial a significantly reduced number of committees with a proportionate geographical spread (based on workload)
- 6.4 The recommendations propose a trial of a reduction in committees and it is suggested that the number of committees could be reduced from one Strategic Planning Committee and three area committees to one Strategic Planning Committee and two other committees covering the wider Northampton area as reflected in the Northampton Related Development Area which includes an area which is different to the former Borough Council. The other committee reflecting the remainder of the area and with a different geographical area than the former district councils.
- 6.5 It is proposed also to allow only two substitutes for Planning Committees with substitutes to be drawn from the other planning committees. No other substitutions will be permitted for planning committees unless in the opinion of the Monitoring Officer an individual item is likely to be inquorate. All members of Planning Committee will be required to attend mandatory training in relation to planning decisions and the planning protocol.

- 6.6 At the current time the existing planning committees meet at different times. It is proposed that the timing of the Planning Committees will be agreed following input by all relevant members at the Annual General Meeting.
- 6.7 It is proposed that all of the development control planning committees should be webcast as soon as the facility is available to enable this to happen. This facility is currently available at the forum at Towcester. It is intended to provide webcasting from the Guildhall to ensure coverage of all planning committees can be achieved as well as webcasting for other meetings which meet at that venue. It is proposed that the Strategic Planning Committee and South Planning Committee will meet at Towcester where webcasting facilities are already available. The North area Planning Committee will meet in Northampton where it is hoped webcasting will be available shortly after the Annual Meeting in May.
- 6.8 The current committee arrangements have different approaches to site visits. To ensure consistency and compliance with the Planning Protocol it is proposed that where there is a sound planning reason to hold a site visit and it is agreed by the Committee that a site visit should be held, these will be arranged by Democratic Services and attended by a planning officer. Members will be discouraged from attending sites other than as part of an arranged site visit to reduce the risk of lobbying.
- 6.9 The report makes a number of other recommendations and to give effect to these a further review of the Planning Protocol will take place to determine whether changes are required in the light of the report of the Planning Advisory Service. Further training may also be offered to members of the new committees which should be mandatory to ensure a consistent approach across the three new committees.

7. Issues and Choices

- 7.1 The issues and choices

8. Implications (including financial implications)

8.1 Resources and Financial

- 8.1.1 There are no financial implications arising directly as a result of the Constitution review process other than minor changes to member allowances. The proposals would allow the increased cost of the Scrutiny Chairman to be offset by the reduction in the number of Planning Committee Chairman, which results in a cost neutral proposal.

8.2 Legal

- 8.3 The Council must have at least one Overview and Scrutiny Committee. The Council as a Council with Health Scrutiny responsibilities there must be an Overview and Scrutiny Committee with responsibility for Scrutinising health services. The proposals better able the Council to meet these statutory obligations.

8.4 The Council is the Local Planning Authority for West Northamptonshire and has a quasi judicial function of determining planning applications. This is carried out through a combination of delegations to officers and decisions by Planning Committees. These committees have to carry out this responsibility with regard to the Council's wider duties under the Human Rights Act 1998 in relation to a fair hearing and more widely in relation to the Council's public law decision making responsibilities. The proposals enable the Council to meet its responsibilities as a local planning authority.

8.5 **Risk**

8.5.1 There are no significant risks arising from this report. Reviewing the governance arrangements helps to reduce any risks that could arise as a result of the arrangements not supporting lawful decision making and delivery of Council services.

8.6 **Consultation**

8.6.1 This report will be referred to Council for a decision before being agreed. There has been no wider public consultation in relation to this report which is a response to the recommendations of the review.

8.7 **Consideration by Overview and Scrutiny**

8.7.1 Not applicable to this report.

8.8 **Climate Impact**

8.8.1 There is no significant climate impact to consider in relation to the recommendation the changes to the committee will have some changes to the travel and paperwork used for each of the committees but these are largely offsetting by the different proposals. Overall the reduction in Scrutiny membership is likely to lead to a net carbon benefit but this is based on assumptions of use by an average member.

8.9 **Community Impact**

8.9.1 There will be a need for Planning Committees to take place further away from the area of residents in some cases however these changes are offset by the webcasting of meetings to enable more residents to attend remotely.

9. **Background Papers**

This page is intentionally left blank

Rebecca Peck
Assistant Chief Executive
West Northamptonshire Council
One Angel Square Northampton

November 2022

Dear Rebecca,

Scrutiny Improvement Review – CfGS consultancy support

I am writing to thank you for inviting the Centre for Governance and Scrutiny (CfGS) to carry out an evaluation of West Northamptonshire Council's (WNC) Scrutiny function. This letter is our feedback on our review findings and offers suggestions on how the Council could develop its Scrutiny process further.

As part of this feedback stage, we would like to facilitate a workshop with members and officers to reflect on this review and to discuss options for improvement.

Background

West Northamptonshire Council commissioned CfGS to advise and support its members and officers in the review of the Council's Scrutiny function. The aim was to ensure that Scrutiny is effective in delivering accountability, improving policy and decision making, and that scrutiny makes a quality contribution in the delivery of Council plans and overall improvement.

WNC is a new council, therefore its Scrutiny function is has been in place for just over a year. It is therefore appropriate and sensible to review how it is done so far. Therefore, this review is designed to check and test that Scrutiny is meeting the Council's high expectations of democratic accountability, and that the interface of decision-making and Scrutiny is effective and relevant.

West Northamptonshire's political structure is based on a Cabinet-Cabinet model. Its current Scrutiny arrangements consists of a Co-ordinating Overview and Scrutiny Group, plus three Scrutiny committees.

CfGS undertook a review of these scrutiny arrangements, involving evidence gathering through conversations with members and officers during 10th -11th May 2022. In addition, we observed two live scrutiny committee meetings: Corporate O&S on 10th May 2022 and Place O&S on 17th May 2022, via a live remote video link. We also reviewed previous minutes of committees, work programmes and other key documents via the Council's website.

CfGS met with elected members and officers, including Leader, Cabinet members, Group Leaders, Scrutiny Chairs and members of the Scrutiny Committees.

The review was conducted by:

- Ian Parry – Head of Consultancy, Centre for Governance and Scrutiny
- Manisha Patel – Associate-Consultant, Centre for Governance and Scrutiny

The findings and recommendations presented in this letter are intended to advise the Council on strengthening the quality of scrutiny activities, increasing the impact of its outputs, and through its members, developing a strong and shared understanding of the role and capability of the Scrutiny function.

Review Summary

1. Scrutiny has the conditions for success

1.1 The conditions for successful scrutiny are clearly present at West Northamptonshire; there is a shared understanding from members and officers that good governance involves scrutiny, and when used effectively, scrutiny can add value to decision-making. All of those interviewed believed that improvements can be made to make scrutiny more effective and to add greater value.

1.2 Members recognise the benefits of change and improvement, and this presents a good opportunity for the Council to further develop the way in which scrutiny operates from its current position, while it is still in a learning and exploring mode. Strengthening its role could also aim to elevate the status of Scrutiny, so that it is recognised as a strategic function and is fully utilised as a resource to support continuous council improvement.

1.3 It is also important to note that this review has the support of the Leader and Chief Executive, who both expressed a strong desire to support Scrutiny and confirm that its role is central to open, transparent decision-making and accountability in the Council. We therefore would stress that this confirmation and buy-in at the most senior political and officer level is crucial to improvement and therefore is highly valued.

1.4 Our review identified several positive indicators for Scrutiny, most notably; the positive attitude and commitment of members and officers, the mature cross-party working in the scrutiny context, the overall capacity and range of experience of members, as well as the strong belief that more can be achieved. The council has a strong cohort of committed councillors across the council and is therefore in a good position to progress. There were other positive behaviours and practices which this report will also highlight.

1.5 The commitment of members and officers to this review and the ambition to drive improvement in Scrutiny was further indicated by good attendance of those who were invited to meet with the CfGS review team. We appreciated this high level of participation and everyone's constructive contributions in interviews and discussions. The review team were impressed by this high level of commitment.

1.6 We also feel that it is important and central to this report to make it clear that this review took place just over a year after the Council was established. Therefore, we feel that it is important to record and recognise that alongside all the complex challenges and competing demands of establishing a new unitary authority (and with the added stresses of the Covid pandemic) that its democratic structures including its Scrutiny function are operational and running relatively smoothly.

1.7 This is a significant achievement and even though we feel that Scrutiny is in some respects still finding its feet, overall, it is certainly up and running.

1.8 We would therefore like to commend the council, its officers and members on this achievement.

1.9 The task now is to build for the future and ensure that the scrutiny model, through further development and refinement, is able to deliver a high-quality service to the Council and the communities it serves.

2. Officer support and organisational culture

2.1 The foundations for good Scrutiny start with the context in which it operates and the position it holds within the council.

2.2 We were reassured by the Council's senior leadership team's commitment to properly supporting Scrutiny, even if at times the understanding of the Scrutiny objective can be unclear. Our conversations with members were positive about the assistance they received from officers who support Scrutiny and were overall satisfied that support meets their current needs.

2.2 Organisational culture is also identified as foundational in improving the quality of Scrutiny. This review noted that Scrutiny mainly operated in space that was generally free from adversarial political activity and was largely collegiate. Scrutiny's ability to effectively carry out its business, rests on the strength of organisational and committee-based culture. This includes but is not limited to:

- Mutual respect between members – within the context of robust political debate and disagreement, and Members respecting officers as professionals.
- members and officers understanding their mutual roles and responsibilities – in the most basic sense, that councillors lead on strategy and overall direction, while officers lead on delivery and implementation.

2.3 These cultural aspects above are present at West Northamptonshire, but more needs to be done to position and orientate Scrutiny as a total-council, cross-party collaborative endeavour which has clear objectives which are widely understood and have broad buy-in from members.

2.4 More could be done to engage earlier with Cabinet members to help shape and improve through early constructive challenge. Furthermore, there is a real opportunity for Scrutiny to be better aligned with core corporate plans of the council. We explore this further in this report letter.

2.5 Perhaps unsurprisingly, as many scrutiny committee members have previous experience from different Districts within the former county, that the style of Scrutiny has not yet fully formed its own style and currently can feel like a mix of Scrutiny cultures.

2.6 Overall we found that Scrutiny is valued in the council as an important part of governance, democracy and accountability and receives strong support from political leaders, corporate officers and an experienced democratic services team who provide the right framework for good scrutiny.

3. Clarity on Scrutiny's role and responsibilities

3.1 Scrutiny's overall role is to hold the Cabinet to account, to assist policy development, contribute to improved decision-making, and channel the voice of the public. A good Scrutiny function is one that provides robust, effective challenge. But equally, is recognised and valued as a positive influencer of policy and key decision-making through constructive challenge, positive enquiry, and quality insight.

3.2 Through our evidence gathering, members involved in Scrutiny could articulate the role that Scrutiny should play in being an integral part of the Council's governance structure and contributing to the council's budgetary and policy making function. However, some members seemed to be unclear on how exactly Scrutiny should be holding the Cabinet to account. We observed meetings where a lot of time is spent focusing on officer presentations and less time in

enquiry and scrutiny mode. It is essential that Scrutiny meetings do not become classrooms for learning and information up-dates, but remain focused on the scrutiny task, challenge, and improvement.

3.3 We observed that Cabinet participation in Scrutiny could be limited to providing additional information or reassurance. Our suggestion is that if the meetings are properly framed around Cabinet members with robust, constructive (but respectful) challenge, Cabinet members should find the experience tough and challenging but equally useful, supportive and beneficial. We suggest that a 'select committee' style would be appropriate at West Northamptonshire, where the strategic challenge to Cabinet members could be strengthened.

3.4 The Leader and Cabinet and Scrutiny members all want to see more emphasis on shaping policy, challenging, and holding to account. Therefore, Scrutiny will need earlier access to and involvement with the core policy and decision-making activities of the Cabinet. Our assessments concluded that Cabinet members and Scrutiny all recognise and agree that greater collaboration and engagement would be strongly beneficial.

We recommend:

- **A clearer focus on democratic accountability** - Scrutiny of Cabinet members should form a key part of the work plan, and Cabinet members regularly attending Scrutiny to answer questions on items falling within their portfolio responsibilities is vital. Alongside this, we also recommend inviting the Leader to attend Scrutiny on a quarterly basis to present an integrated finance and performance report and to be held to account for Council performance and progress. Perhaps adopting a 'select committee' style.
- **More emphasis on scrutiny's shaping role** - With a clear mapping for scrutiny in early policy development and key-decisions.
- **Scrutiny avoids main focus on updates and presentations.** The task of providing Scrutiny members with the essential core knowledge to be sufficiently effective in the scrutiny task could be developed as briefings or 'master classes' where the topic is complex. Lengthy learning exercising can squeeze scrutiny capacity.

4. Collaborative approach to Scrutiny

4.1 Scrutiny is the forum for an evidence-based discussion about issues affecting local people where challenge is welcomed and encouraged. Members told us that they felt that adversarial politics was not a strong feature of Scrutiny, although there are instances of where politics can turn up.

4.2 In any democratic institution, there will be differences of opinion and disagreement about policy and decisions - this should be recognised as normal and regarded as democratic exchange and policy differentiation. However, if scrutiny becomes too politically charged or adversarial this can diminish mutual trust and respect and lead to defensive and negative outcomes, rather than resulting in creative and useful exchanges. We do not believe that WNC is in that position, but it is worth vigilance and managing.

4.3 There is also mixed level of engagement from those who sit on Scrutiny, with some members showing minimal levels of involvement within committee meetings and in some cases the conversation involving just a few members. Engagement, contributions, and challenge from all members of the Scrutiny Committee is essential if individual members wish to have an influence on

shaping decisions, and if Scrutiny is to fulfil its role in being a space for cross-party inquiry. This not only requires attendance, but background preparation for meetings. Again, it is understandable that acquiring the skills and experience to become effective scrutiny practitioners will take some time. Additional training or coaching may be beneficial.

4.4 Overall our assessment in WNC is that Scrutiny is a 'safe space' for robust, constructive challenge to be made which is welcomed by the Cabinet without any negative repercussions. But this must be cherished and protected if Scrutiny is to play a key role in democracy, accountability, and improvement.

4.5 Scrutiny's relationship with Cabinet is good and this is really important. However, we heard that proactive engagement between Scrutiny and the Cabinet could be improved both before and during Scrutiny meetings. This might involve more triangulated meetings between officers, Scrutiny and Cabinet members to explore and collaborate on the key areas of delivery by Cabinet and the essential focus of Scrutiny. This may help to achieve greater alignment between Scrutiny and Cabinet in terms of efforts being focused on the same key areas of the council plan and council or community priorities.

We recommend:

- **Developing regular communication and information sharing so that Scrutiny can be a resource that can inform Cabinet decision making.** This could be achieved through holding triangulation meetings between scrutiny chairs, Cabinet members, and relevant Directors to consider future issues and the part which Scrutiny could play in testing and shaping these forward plans. It would also present an opportunity to share and discuss opportunities to involve Scrutiny as an improvement asset.

5. Scrutiny's focus and workplan

5.1 We heard the phrase 'trying to boil the ocean' several times in our on-site conversations, which implied that Scrutiny is perhaps trying to take on too much and finding it hard to focus and prioritise. This is understandable in a large council, where many members are learning and understanding a completely new role. The size and complexity of the council can be daunting and the flow of policy development and decision-making constant. So, the task of positioning Scrutiny and deciding how to orientate through a vast array of potential issues that could be scrutinised is itself probably the most important task in front of Scrutiny. How does Scrutiny utilise its resources to best effect and with maximum efficiency and impact? What Scrutiny is scrutinising (work programmes and agendas), is really at the centre of scrutiny's current journey.

5.2 In a positive first year this challenge of clear prioritisation is widely recognised by members and officers. That it needs to focus on strategic issues, where it can have influence, and that scrutiny needs to input into these areas of key decisions and policy development at an earlier stage. Scrutiny needs to be baked-in the policy development and key-decision process.

5.3 Scrutiny work programmes are therefore not yet well developed at this stage and remain a regular discussion point at committee meetings and off-line. There is a real desire to nail this issue and get Scrutiny into a place where it can comfortably and confidently prioritise and focus on key issues.

5.4 Scrutiny could benefit from a more simple approach to prioritisation of topics. There is strong evidence that when Scrutiny focuses on fewer things of greater importance, more is achieved. The 'less is more' maxim can readily be found in quality scrutiny.

5.5 Work planning is key to ensuring Scrutiny stays focussed on strategic issues where it can make an impact, whilst making the best use of time and resources. From our conversations we noted that many members felt that they have little opportunity to influence work plans, and the way that issues are prioritised. West Northamptonshire's Scrutiny function may need to consider how it organises its work plans in a way that is led by all members of the committees to have ownership over committee activity.

5.6 It is important to emphasise that work planning is an ongoing process and not just a one-off event. Whilst a workshop will help identify priorities and provide structure to work for the months ahead, there will need to be flexibility in the workplan and time set aside to regularly revisit the relevance of topics in meetings as the local context changes.

5.7 Scrutiny currently tends to be more retrospective, rather than forward looking. It is important that Scrutiny carries out reviews and assesses performance, but there is an important missed opportunity for it to add value to council policy and strategy through greater emphasis on the big challenges and opportunities ahead for the council. The future is where the opportunities, challenges, risks and threats are present, and scrutiny has a vital role to play in asking about the Cabinet's plans and preparedness for what is ahead. Evidence from elsewhere clearly indicates that scrutiny's absence in this space can be a significant factor in subsequent failures.

5.8 The Council's corporate plan should direct Scrutiny's focus. However currently scrutiny business does not always seem to be aligned with either the Council's overall priorities, the 3-month rolling programme of Cabinet decisions or with pressing corporate performance or risks and challenges - when topics are reviewed the focus can lean towards operational rather than strategic or outcome focused.

5.9 There is also an opportunity to hold the Leader to account for the delivery of the Council plan and integrated performance and financial position of the council. We believe this would also be welcomed by the Leader as part of his duties to the council.

5.10 Task and finish style working was cited as some of the most successful examples of scrutiny by members, where it has selected key issues to scrutinise and to explore. These could be further improved if Scrutiny focused on making compelling, quality recommendations based on its activity.

5.11 We found that budget scrutiny was '11th hour' and light-touch to be useful or valid. It is an area that councils often ponder – when and how should Scrutiny be involved in the budget process given that the final budget draft does not normally emerge until January and that the cycle itself is often based on assumptions. Typically, as in West Northamptonshire, Scrutiny tends to be invited to scrutinise a draft budget which has in effect been put to bed.

5.12 As finance and budgets are increasingly an area of serious corporate risk. It is crucial that Scrutiny steps up and play a central role in the process of budget scrutiny from a much earlier start. This means that it may need to refocus its attention on the future challenges and operating environment of the council and to scrutinising the pressures, risks assumptions and budget gaps at a much earlier stage. It might also mean that Scrutiny will need more support, officer time, development, and information to equip it for this task. The vital task of scrutiny of the forward budget and medium-term financial plans is not yet sufficiently well developed and organised. There is a robust audit committee which looks at financial reporting as part of its remit, but the task of exploring the budget as an early and in-depth process needs more attention. This would seem to fit within the scope of the Corporate OSC.

We would recommend following the guidance in ¹ CfGS & CIPFA (2020) 'Financial Scrutiny, practice guide' - https://www.cfgs.org.uk/wp-content/uploads/Financial-Scrutiny-practice-guide_proof3.pdf

We recommend:

- **Work planning to be a committee-based responsibility** – review the need for a Co-ordinating committee.
- **Review the process for developing work plans for each Scrutiny committee** - Engaging members, officers, partners, and the public to prioritise the topics for review.
- **Review of the current approach to financial Scrutiny, MTFS/ budget scrutiny.** We have produced guidance on financial scrutiny with CIPFA¹, setting out scrutiny activity to complement Councils' annual financial cycle. The guide suggests ways to move budget and finance scrutiny beyond set-piece scrutiny 'events' and quarterly financial performance scorecards being reported to committee.

6. Scrutiny committee structure and scheduling

6.1 West Northamptonshire has scrutiny committee structure which includes an overarching Co-ordination Overview and Scrutiny Group (COSG). Its membership comprises chairs and vice chairs of the three other overview and Scrutiny committees. Apart from a co-ordinating role to approve the work programmes of the other OSCs it is difficult to identify any other purpose. Its apparent core role of ensuring a consistent 'golden thread' across all scrutiny committee appears to be a prolonged process.

6.2 We are therefore uncertain about the value of the COSG, since individual committees could readily identify and agree their work programmes and ensure that they are prioritising the right issues. This could be something to consider further.

6.3 The three main Scrutiny committees follow a thematic approach, focusing on Corporate, People and Place. However, it is difficult to understand in more detail, the terms of reference for these committees, other than their general title which provides a clue. Both the constitution and the council website and mod.gov would not be easy for the public to understand the role and purpose of these committees, or to navigate where specific issues would be scrutinised. Making their ToRs clear on the web pages and in the constitution would be helpful.

6.6 We would also suggest that scrutiny does not readily benefit from too much detail or lengthy reports. Detail can become counter-productive in helping Scrutiny to stay strategic and we would suggest that more consideration is given to the way committee meetings are constructed to ensure short agendas and information provided that is designed to serve the Scrutiny objective. To make this work will take some understanding and collaboration between Scrutiny and corporate officers.

6.7 We found that without some refocusing Scrutiny could continue to drift towards a performance management role, rather than being forward looking, focusing on important areas of challenge and opportunity which is largely the focus of Cabinet, and we suggest Scrutiny also.

6.8 We were told about several successful examples of task and finish group work. Scrutiny could benefit from further use of task and finish groups or 'spotlight events' where single issues of major

importance to the Council or community can be considered and explored in greater detail. This can add significant impact and quality to scrutiny activity.

6.9 But all T&F projects need to be clearly scoped, resourced, time-limited and with clear objectives to be useful and effective. The current structure does provide for up to three T&F projects per committee. We suggest that this would seem a lot in terms of support and resource capacity.

6.10 Task and finish style working is often where Scrutiny can do its best work by focussing on a single issue and drilling down to provide clear analysis to inform policy making.

6.11 We would like to raise the potential for the People OSC to become either overwhelmed or its focus unintentionally misplaced due to the size, complexity level of risk and budget challenges this committee is expected to scrutinise. The area of ASC, Children and Families, Health, PH and Education are in themselves massive areas of council responsibility. Obviously the 'Trust' model does mean that scrutiny may need to work differently, but the responsibility is still present. We would therefore raise concerns that a single committee meeting 6 times per year is potentially only able to provide high-level or limited level of scrutiny. Given that the People area of the council's responsibilities is the high spend, high risk space, our observations were that it is currently struggling with the size of the task and may tend to drift towards the 'interesting' rather than the 'critical'. We also found that health scrutiny by this committee was almost absent.

We recommend:

- **A review of the Scrutiny committee structure** – with a view to assessing how the areas of ASC, Children's and Health can have sufficient scrutiny capacity.
- **Consider extending the use of task and finish group work – or alternative scrutiny arrangements** – To ensure the most effective use of time and resources and to deliver maximum impact.

7. Scrutiny's output and impact

7.1 Overall, the general view is that Scrutiny does a reasonable job based on its short period of operation. However, when asked more specifically about Scrutiny's output and impact, most members and officers found it difficult to point to consistent work that has made a real difference, or tracking recommendations that have been accepted and implemented.

7.2 Some substantive items were considered by scrutiny committees, but the conclusion of these discussions did not always have an articulated outcome or recommendation. Otherwise, scrutiny business could be seen as solely for the purpose of obtaining information or to obtain updates. The practice of reports being presented 'to note', or inviting speakers only to share information, should be avoided.

7.3 Committee agendas can become overburdened and even cluttered with too many items which are arguably not particularly something that scrutiny can add much value or are for information. Scrutiny should not be viewed as an approval process.

7.4 Scrutiny must be clear in its purpose to add value to the issue or subject being considered. If Scrutiny cannot add value, then arguably the subject should not reach the agenda. As a matter of general principle, items for information or updates could be shared with members as briefing notes outside of committee, leaving more capacity for constructive activity.

7.5 When members of the Cabinet and senior officers are asked to attend, scrutiny committees would benefit from being clear about what the aims and objectives are of the session (including clarity over the content of any reports and presentations). Through our recommendation of establishing pre-meetings in the next section, this can also improve scrutiny's impact by allowing the space to create a shared understanding and trying to discuss beforehand what recommendations the committee might make on the day, and how the Cabinet might respond to them.

7.6 In carrying out 'external' Scrutiny work, it is important to ensure that Scrutiny has a clear focus on objectives and is able to influence outcomes concerning the topic discussed.

We recommend:

- **Changing the way that information is provided to Scrutiny members for oversight -** Reduce the number of items coming to Scrutiny solely for information, and consider how information on the following matters could be shared with councillors on a monthly basis outside of committee.
- **Review how reports and information is supplied to scrutiny –** so that it supports the scrutiny objective, is not excessively detailed and is understandable by members.
- **Reviewing how the recommendations are made and how impact is measured –** This could include putting a 'recommendations monitoring report' at the beginning of agendas to orientate Scrutiny towards outcomes-focused meetings, alongside an emphasis on finding strong recommendations from questioning, to present to the Cabinet as improvement or challenge proposals.

8. Chairing, Member development and meeting preparation

8.1 Scrutiny's success is dependent on the right members, with the right capabilities and attributes, leading and managing the Scrutiny function. Scrutiny Chairs have a vital task in leading the committee, ensuring that it builds and maintains strong relationships with the Cabinet, officers and relevant external partners.

8.2 Chairs can also lead on setting the working culture of Scrutiny, helping it to set and uphold high standards of behaviour, engagement, and debate, ensuring good cross-party working. The lack of opposition members involved in Scrutiny chairing roles was raised as an issue in our evidence gathering. Although there is no single 'right' approach to selecting chairs - the emphasis ought to be on selecting chairs based on skill set and capability and providing ongoing training and support.

8.3 Scrutiny provides an excellent opportunity to support members in getting an in-depth understanding of issues across the Council's services. To get the most out of Scrutiny, Members need a clear sense of what is required of them as committee members and the work involved which allows good scrutiny to happen.

8.4 Many members were unsure of how to achieve impactful scrutiny, some were also open about a lack of understanding about the specific areas they are asked to scrutinise. Members felt that more briefings to provide them with core knowledge, especially on more complex or technical issues would be welcome and equip them better as scrutineers.

8.5 We heard that the quality of questioning in scrutiny varies; in some instances, it is forensic and probing, but it is often more general and exploratory and sometimes superficial.

8.6 West Northamptonshire is clearly committed to member development, and training was raised by some members who were clearly aware of the gaps in their knowledge and understanding.

8.7 From our observations of committee meetings there is little evidence of co-ordinated questions or members acting as a team with clear lines of inquiry. Pre-meetings could allow members to give voice to their objectives for meetings and allow mutual motivations to be understood and questioning strategies to be agreed. It is likely that differences will remain and will, in some cases, be significant, but the airing of these differences will make it easier for members to understand where consensus is possible.

We recommend:

- **More skills development support is offered for the key roles of Chair and Vice-Chair** – To provide them with the confidence they need in leading the scrutiny function.
- **Consider further Scrutiny development and training for all committee members** - To develop a common understanding of what “good” Scrutiny practice looks like.
- **Providing additional briefing or expert involvement as required** - To assist Scrutiny members in becoming more capable to develop questioning strategies that will deliver high-impact and value-adding Scrutiny.
- **Cross-party pre-meetings for Scrutiny committees should be established** - With a specific focus on identifying priorities and members working together to develop lines of enquiry so that recommendations are more likely.

9. Public engagement

9.1 Scrutiny should explore and experiment with ways to allow greater access, openness and involvement with the public. This could include Scrutiny going on more site visits in the community, inviting the public to offer ideas for work plans, and greater use of social media channels for resident input and communicating the progress and impact of scrutiny work.

9.2 The council’s website would benefit from easier navigation to information about committees and democracy, including scrutiny. It requires a level of determination to get through to the relevant webpages. We would also recommend exploring opportunities for scrutiny to raise its public profile, perhaps through social media or other communication channels.

Thank you and acknowledgements

We would like to thank the Chairs, members of the Scrutiny Committees, Leader and Cabinet members, Leaders of Political Groups and officers who took part in interviews for their time, insight and open views.

Yours sincerely,

Ian Parry,
Head of Consultancy

Centre for Governance and Scrutiny | 77 Mansell Street | London | E1 8AN

Tel: 020 7543 5627 / Mob: 07831 510381 (preferred)

Visit us at www.cfgs.org.uk

Follow [@cfgScrutiny](https://twitter.com/cfgScrutiny)

CfGS is a registered charity: number 1136243

[Click here](#) to subscribe to regular news and updates from CfGS

This page is intentionally left blank



WEST NORTHAMPTONSHIRE COUNCIL

Democracy and Standards Committee

9th March 2023

Report by the Democracy and Standards Committee

Report Title	Updates to the Constitution
Report Author	Catherine Whitehead, Director of Legal and Democratic Services

Contributors/Checkers/Approvers

Monitoring Officer	Catherine Whitehead	01/03/2023
Chief Finance Officer (S.151)	Martin Henry	
Communications Lead/Head of Communications	Becky Hutson	

List of Appendices

Appendix A – Updated WNC Constitution (available on request – please contact democraticservices@westnorthants.gov.uk)

1. Purpose of Report

- 1.1 The purpose of this report is to provide an update to the Democracy & Standards Committee on a number of proposed updates to the Constitution and request that the committee recommend the revised Constitution to Council for adoption.

2. Executive Summary

- 2.1 The Council's Constitution sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter of

the Council to choose. The Council must operate in accordance with its Constitution and the rules set out in it. The Constitution is divided into different parts which set out the basic rules governing the Council's business as well as some of the detailed rules.

- 2.2 Suggested amendments are summarised in section 5 below. These changes have generally been made to address issues that have been identified with the operation of the Constitution or to ensure the Constitution is up-to-date, for example by reflecting changes to legislation or statutory guidance.

3. Recommendations

- 3.1 It is recommended that the Democracy and Standards Committee:
- a) Note and approves the updates to the Constitution as set out in Section 5; and
 - b) Recommends the updates to Council for approval.
- Subject to discussion of the item at this committee in relation to changes to committees to make any additional recommendation to Council arising from that report.

4. Reason for Recommendations

- 4.1 Keeping the Constitution under regular review will help ensure that it is legally compliant, complete, reflects the character and culture of the authority and supports effective and efficient decision making.

5. Report Background

- 5.1 A number of changes to the Constitution are proposed. These are summarised below:

Council Procedure Rules - Voting

- 5.2 The Constitution sets out procedure rules for voting at meetings of Full Council. While reference is made to voting by electronic means where available, the rules for recorded votes do not fully reflect the facilities that the Council now has in place. A number of changes are proposed to correct this, while allowing for the existing procedure to remain in place for committees:

32 Voting

- 32.1 *Each Councillor has one vote.*

- 32.2 *Voting will be by a show of hands or, where practical and the means are available to those present, by suitable electronic means. **electronic means or, where this is not available or is not practicable, by a show of hands.***

- 32.3 ***Where voting by electronic means is available, votes will be recorded automatically. The voting record for each meeting will be made available on the Council's website after each meeting.***

- 32.4 ***Where voting by electronic means is not available, a councillor may ask for a recorded vote to be taken. When a councillor asks for a recorded vote to be taken, and 10 members of the Council***

(or one quarter of a committee) stand in their places to support the request, the vote will be recorded to show whether each Councillor voted for or against the motion or abstained. If necessary, a councillor may raise their hand instead of standing in order to indicate their support for a request for a recorded vote.

- 32.5 *A recorded vote will not be taken if the vote has already begun to be taken by a show of hands.*
- 32.6 *A councillor may require, after a vote is completed, that the minutes of the meeting record how they voted or abstained.*
- 32.7 *A councillor may, immediately after the item of business is voted upon, request that a lost motion or amendment be recorded in the minutes.*
- 32.8 *Where there are equal votes cast for a motion or amendment the Chair or the person presiding may exercise a second or casting vote.*

Local Area Partnerships

- 5.32 At its meeting on 30th June 2022, the Council considered a report about the Northamptonshire Integrated Care System (ICS). The ICS is a statutory requirement introduced via the Health and Care Act 2022 (the Act). The ICS brings together local authorities, health and social care and housing providers. The core purpose of an ICS is to:
- improve outcomes in population health and healthcare;
 - tackle inequalities in outcomes, experience, and access;
 - enhance productivity and value for money; and
 - help the NHS support broader social and economic development
- 5.33 In Northamptonshire, an Integrated Care Board (ICB) will bring together leaders from across the system and is accountable for overall performance and use of resources. The ICB includes Local Authority Leaders and Chief Executives, as well as NHS leaders and non-executives (as required by the Act). An Integrated Care Partnership (ICP) will exist alongside the ICB. The ICP's central role is in the planning and improvement of health and care. The ICP supports place-based partnerships and coalitions with community partners which are well situated to act on the wider determinants of health in local areas.
- 5.34 The West Northamptonshire Health and Wellbeing Board continues in its role within this structure, but with some additional responsibilities:
- To review the Integrated Care Board (ICB) 5 Year Plan to ensure it takes proper account of the Joint Health and Wellbeing Strategy;
 - To review the ICB Joint Capital Resource Plan; and
 - To consult with the ICB for the ICN Annual Report on performance of any steps taken by the ICB to implement the Joint Health and Wellbeing Strategy.
- 5.35 Below the Health and Wellbeing Board and ICP sit the locality Health and Wellbeing Forums. These bodies reflect the two localities: Northampton and Daventry/South Northants. The locality boards oversee the Local Area Partnerships and will be responsible for ensuring that the Local Area Partnership Plan delivers against key priorities determined by local insight data. The

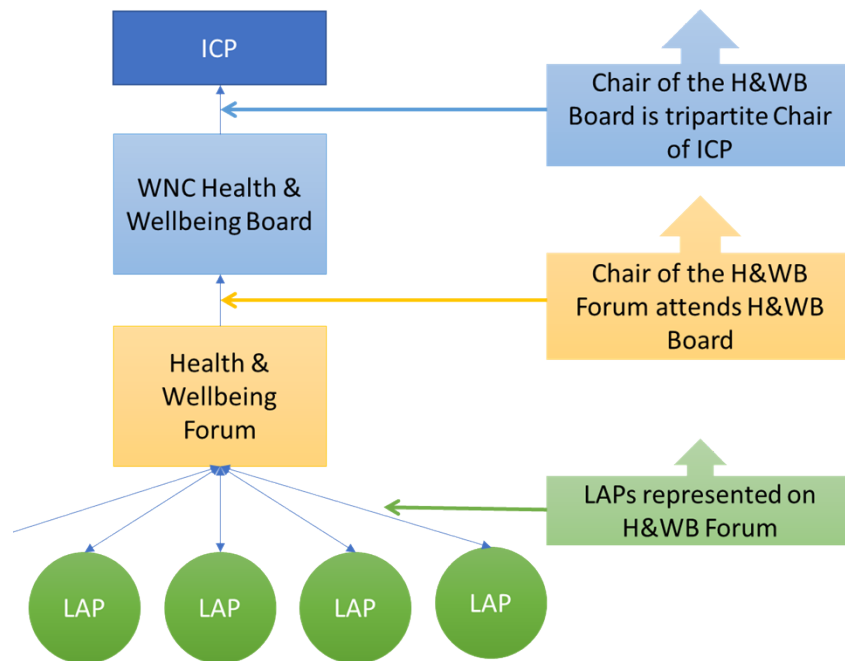
of reference for the Health and Wellbeing Locality Forums and Local Area Partnership (LAP) including membership is currently being developed as part of wide stakeholder consultation and engagement. It is recommended that the following text is added to the Constitution in Part 4 (Committees), at Section 4.9 (Health and Wellbeing Board).

New paragraph 4.9.12 (between Sub-Groups and Visitors and Speakers

4.9.12 Health and Wellbeing Forums and Local Area Partnerships

The Council has established two Health and Wellbeing Forums, each reporting to the Health and Wellbeing Board. Each Forum covers a specific area (see paragraph 4.9.16) and is linked to a number of Local Area Partnerships.

4.9.13 The Health and Wellbeing Forums have been established to enable local partners from the public sector, voluntary sector and community engagement sector to work together to improve the health and wellbeing of people in the local area. Each Forum is a mechanism for delivering the ambitions for ‘Live Your Best Life’ and driving forward the priorities of the West Northants Health & Wellbeing Strategy and the system wide Integrated Care Partnership Strategy. Each Forum provides representation to the Health and Wellbeing Board to influence and ensure the local perspective is included at Place level. The Boards will inform the design and delivery of integrated, efficient and cost-effective services for the local population. The governance structure and relationships are set out in the diagram below.



4.9.14 Each Forum will include a core group of organisations that have a key role and responsibility to improve health and wellbeing in the local area. Membership will be continuously reviewed and individuals can be co-opted for specific issues. The core membership of the Forum and initially will consist of a representative(s) as follows:

- DSN GP Locality Board

- Elected Member (WNC)
- AD for Place Development
- Interim Head of Community Safety & Engagement (WNC)
- Local Area Partnerships
- Northamptonshire Fire Service
- Northamptonshire Healthcare Foundation Trust
- Northamptonshire Police
- Northamptonshire Children’s Trust
- Mental Health, Learning Disability and Autism Collaborative
- Public Health (WNC)
- University Hospitals of Northamptonshire NHS Group
- Voluntary, Community and Social Enterprise (VCSE)
- West Northants Health and Wellbeing Board
- Other subject matter experts as required

4.9.15 Local Area Partnerships (LAPs) are established to enable local partners from the public sector, voluntary sector and community engagement sector to work together to improve the health and wellbeing of the people in the local area. They adopt an intelligence and data-led approach to identify areas experiencing high levels of inequality that would benefit from redesign and integration of service provision. They review evidence on local health needs, social and economic determinants of health and collectively determine priorities that need addressing. The LAPs are the mechanism for delivering the ambitions for Live Your Best Life and driving forward the priorities of the West Northants Health & Wellbeing Strategy and the system-wide Integrated Care Partnership Strategy. Local Area Partnerships have no delegated decision-making powers and cannot allocate resources. They are not committees; they are partnerships that work collectively to achieve common goals and priorities to improve the health and wellbeing of their local communities.

4.9.16 The areas covered by each structure are as follows:

Northampton Health and Wellbeing Forum

- Local Area Partnership N1, covering the following wards: Riverside Park, Billing and Rectory Farm and Talavera.
- Local Area Partnership N2, covering the following wards: Nene Valley, Delapre and Rushmere and East Hunsbury and Shelfleys.
- Local Area Partnership N3, covering the following wards: Duston West and St Crispin, Duston East and Sixfields.
- Local Area Partnership N4, covering the following wards: Castle, Abington and Phippsville, St George and Dallington Spencer.
- Local Area Partnership N5, covering the following wards: Headlands, Boothville and Parklands, Kingsthorpe North and Kingsthorpe South.

South Northants and Daventry Health and Wellbeing Forum

- Local Area Partnership DSN1, covering the following wards: Brixworth, Braunston and Crick, Long Buckby and Moulton.

- Local Area Partnership DSN2, covering the following wards: Daventry East, Daventry West and Woodford and Weedon.
- Local Area Partnership DSN3, covering the following wards: Silverstone, Middleton Cheney and Brackley.
- Local Area Partnership DSN4, covering the following wards: Deanshanger, Towcester and Roade, Bugbrooke and Hackleton and Grange Park.

The core membership of each LAP will initially consist of the following:

- Elected members (identified from the Wards covered by each LAP)
- WNC Director aligned to each LAP
- Northamptonshire Police
- VCSE colleagues
- Public Health
- GPs
- AD for Place Development
- Administration support

Invitations may be extended to additional professionals and organisations depending on the priorities identified by each LAP.

Powers and Duties of the Pensions Committee

5.36 The Terms of Reference of the Pension Committee have been reviewed in order to ensure they reflect accurately the arrangements that have been put in place for the ACCESS Joint Committee, the mechanism through which the Northamptonshire Pension Fund participates in a shared asset pool. The Joint Committee has a duty to make recommendations to West Northamptonshire Council (as with all member authorities) about a range of matters set out within the Constitution. The powers and duties of the Pensions Committee need to reflect these duties to ensure decisions can be made at the appropriate level within the authority. The following powers and duties are proposed to be added to the terms of reference of the Pension Committee under paragraph (o) by forming a new sub-paragraph (v):

- (v) On receipt of a recommendation from the Joint Committee of the ACCESS asset pool:
1. agreeing or otherwise the appointment of an Operator and the terms of upon which the Operator is to be appointed.
 2. agreeing or otherwise the extension or termination of an operator agreement and the appropriate arrangements to replace an Operator Agreement on its termination.
 3. Determining proposed changes to the Inter-Authority Agreement.

Powers in relation to setting fees and charges

5.37 The Constitution sets out a range of exceptions to delegated powers which provide clarity in relation to the limits of powers delegated to officers and the threshold for escalation to Cabinet. It is proposed that the delegated power to vary fees and charges be amended to include inflation as a cause in addition to market conditions. This affects Part 9 of the Constitution (Officers).

Exception	At or Over £500k	At £100k up to £500k	At £25k up to £100k	At £2k up to £25k	Up to £1k
------------------	-----------------------------	---------------------------------	--------------------------------	------------------------------	------------------

To vary the scale of fees and charges within year to reflect market conditions or inflation.	Budget Manager and CFO, unless otherwise a key decision.	Budget Manager and CFO	Budget Manager and CFO	Budget Manager and CFO	Budget Manager
--	--	------------------------	------------------------	------------------------	----------------

6. Issues and Choices

6.32 The issues and choices insofar as they relate to the operation of the Constitution are set out in section 5 above.

7. Implications (including financial implications)

7.32 Resources and Financial

7.33 There are no financial implications arising directly as a result of the Constitution review process.

7.34 Legal

7.35 Every local authority is under a legal duty to prepare and keep up to date its Constitution. In particular, section 9P of the Local Government Act 2000 requires the Constitution to contain:

- a) a copy of the authority's standing orders;
- b) a copy of the authority's code of conduct;
- c) such information as the Secretary of State may direct; and
- d) such other information (if any) as the authority considers appropriate.

7.36 Regular review of the Constitution helps to ensure these legal requirements are met. The amendment set out above will assist in ensuring the Council is able to operate in a lawful manner

7.37 Risk

7.38 There are no significant risks arising from this report. Reviewing the Constitution helps to reduce any risks that could arise as a result of the Constitution not properly supporting decision making and delivery of Council services.

7.39 Consultation and Communications

7.40 Consultation was undertaken with group leaders and the Democracy and Standards committee prior to recommendations being submitted to Council.

7.40.1 The Council will inform and update the public on subsequent future changes to council procedure rules arising as a result of this review, including the proposed changes to start times for committee meetings.

7.41 **Consideration by Overview and Scrutiny**

7.42 Not applicable to this report.

7.43 **Climate Impact**

7.43.1 None specific.

7.44 **Community Impact**

7.44.1 None specific.

8. Background Papers

8.32 None.



Item no:

WEST NORTHAMPTONSHIRE COUNCIL
DEMOCRACY AND STANDARDS COMMITTEE

9 March 2023

Report Title	Councillor Development Programme 2023 -2025 – Progress report
Report Author	Tracy Tiff, Deputy Democratic Services Manager, tracy.tiff@westnorthants.gov.uk

Contributors/Checkers/Approvers		
Monitoring Officer	Catherine Whitehead	1 March 2023
	Sarah Hall	
S151 Officer	Martin Henry	

List of Appendices

None

1. Purpose of Report

- 1.1 This report provides an update on Councillor Development programme for the Democracy and Standards Committee's (the Committee) information.

2. Executive Summary

- 2.1 At its meeting on 12 January 2023, the Committee considered and approved the introduction of a four-year rolling Councillor Development programme, starting with a programme for 2023-2025 (years 3 and 4 of member's current term of office). During the Municipal year 2024/25 a full four-year Councillor Development Programme for 2025-2029 will then be produced. Work is currently underway on compiling the draft Councillor Development programme 2023-24.
- 2.2 Councillor briefing sessions have now been programmed in to the meeting calendar and these are detailed in Councillors' diaries, a number of which have topics added such as housing and planning. Should a Cabinet Member or Senior Officer request that a briefing or development session is added to the programme, one of these dates can be offered which allows for a more structured approach for the delivery of Councillor briefing sessions and ad hoc development sessions.
- 2.3 At its meeting on 12 January 2023, the Committee considered various mechanisms for identifying training needs for Councillors and these have been actioned.

3. Recommendations

3.1 It is recommended that the Democracy and Standards Committee:

- a) Notes the progress undertaken on developing a Councillor Training Programme for 2023/24.
- b) Notes that monthly all Councillor briefing sessions have been added to the Councillor meeting calendar in regular time slots and topics for each session included when agreed.
- c) Considers other potential opportunities to deliver and promote learning and development opportunities for Councillors.

3.2 *Reasons for Recommendations*

3.2.1 The recommendations are intended to:

- a) Enable the Committee to receive a progress report regarding the Councillor development programme and provide Councillors with an opportunity to suggest further training requirements that they feel are required.
- b) Advise the Committee that monthly Councillor briefing sessions have been included with the Councillor meeting calendar.
- c) Enable the Committee to consider the various opportunities available to promote learning and development for Councillors.

4. Report Background

Councillor Development

4.1 The Standards responsibilities of the Committee includes advising, training, or arranging training for Councillors and co-opted Members of the Council, Parish and Town Councils on matters relating to the Councillor Code of Conduct and the Planning Code of Conduct. Councillor training is a wider issue and particularly for a new Council it is important that there is oversight of the Councillor training programme to ensure that Councillors have the skills they need to support effective decision making.

4.2 Councillor development is training and development opportunities, activities and programmes that are offered to elected Councillors by West Northamptonshire Council which support Councillors to carry out their roles effectively.

4.3 At its meeting in January 2023, the Committee approved the introduction of a four-year rolling Councillor development programme, with a programme being approved and scheduled for 2023-2025 (years 3 and 4); following which a full four year Councillor development programme for 2025-2029 will be produced for the Committee's consideration.

4.4 Since the meeting held on 12 January 2023, questionnaires have been issued to:

All Councillors regarding suggestions for their training requirements

Committee Chairs regarding the potential requirements of training for their Committees
Group Leaders regarding potential training needs for their Groups

- 4.5 The results of the completed questionnaires are being analysed, along with the review into Overview and Scrutiny which has been carried out by the Centre for Governance and Scrutiny (CfGS) and the review of the Planning Service by the Planning Advisory Service (PAS). All of this information will assist in informing and developing the Councillor Development programme 2023-24 and 2024-25. The programme for 2023-24 will concentrate primarily on a suite of development sessions in relation to both Overview and Scrutiny and Planning. The training will be delivered in various ways including externally, internally, virtually, face to face and a mixture. Contact has been made with a number of external training providers regarding the development sessions and dialogue is ongoing between them.
- 4.6 As reported to the January 2023 meeting, the proposed sessions for Overview and Scrutiny and Planning could include:

Overview and Scrutiny

- Understand scrutiny including its role, principles, and value
- Chairing skills
- Questioning skills
- Budget Scrutiny and finance scrutiny
- Performance, finance and risk
- Work programming

Planning

- Chairing skills
- Sound decision making
- Planning process and Code of Practice
- Dealing with a planning application
- Enforcement
- Consultation and Scheme of Delegation

- 4.7 The finalised proposed Councillor Development programme 2023-24 will be shared with the Committee at its next meeting on 28 June 2023.
- 4.8 Councillor briefings are held regularly and since the meeting of the Committee held on 12 January 2023 dates for such briefings have now been scheduled and added to all Councillors' calendars. These briefings will be added to and form part of the proposed Councillor Development programme.
- 4.9 Work is ongoing regarding a protocol for promoting and determining applications for Councillors attending paid for training events.
- 4.10 In February 2023, resources available within ILearn were again promoted to Councillors via the Councillor Bulletin.

5 Issues and Choices

- 5.1 The Committee is asked to note the progress report on the structured four-year Councillor Development programme starting with 2023 - 2025 (year 3 - 4) and provide further comment.

6 Implications (including financial implications)

6.1 Resources and Financial

- 6.1.1 There are no immediate financial implications arising from the initial proposals in developing a structured Councillor development programme. However, when the development sessions are scheduled, it is expected that external training providers may be sourced to deliver some of the training. There would be a cost implication to this externally delivered training but there is budgetary provision available in the Councillor development budget.
- 6.1.2 There are no direct manpower implications arising from this report, however, should the training be delivered by internal officers there would be a resource implication upon those Officers.

7.1 Legal

- 7.1.1 The Democracy and Standards Committee and the wider Council have a duty to ensure that Councillors are supported in carrying out their roles effectively. This includes providing training. One of key roles undertaken by Councillors is decision making and particularly quasi-judicial decision making where there is a requirement to adhere to specific rules in the way in which decisions are made. Failure to adhere to these rules can jeopardise the decision making of the Council and result in legal challenges. In addition, the Council is under a duty to promote and maintain high standards of conduct which all councillors must uphold in performing their duties.
- 7.1.2 A structured training and development programme for newly elected Councillors and continuing training for all Councillors throughout their term of office will equip them with essential knowledge and skills to perform their roles effectively.

7.2 Risk

- 7.2.1 There are risks if Councillors do not have the training they need to carry out their roles effectively.

7.3 Consultation

- 7.3.1 It is proposed to consult Councillors of both Overview and Scrutiny and Planning Committees on the content of the training for these Committees.
- 7.3.2 All Councillors have been provided with a questionnaire regarding a structured Councillor Development programme, the results of which are being analysed.

7.4 Consideration by Overview and Scrutiny

- 7.4.1 As detailed in paragraph 7.3.1, it is proposed that Councillors of Overview and Scrutiny Committees will be consulted upon the content on the development sessions specific to Overview and Scrutiny.

7.5 Climate Impact

7.5.1 There are no immediate climate implications arising from this report.

7.6 Community Impact

7.6.1 There are no immediate community implications arising from this report.

7.7 Background Papers

Members' induction programme 2021/2022

Democracy and Standards Committee - agenda and minutes - 27 January 2022, 28 July 2022 and 12 January 2023

Report following the review of Overview and Scrutiny by the Centre for Governance and Scrutiny (CfGS)

Report following the review of Planning by the Planning Advisory Service (PAS)

This page is intentionally left blank

WEST NORTHAMPTONSHIRE COUNCIL
DEMOCRACY AND STANDARDS COMMITTEE

WORK PROGRAMME 2023/2024

Date of the Democracy and Standards Committee	Topics and Rationale
12 January 2023	<ul style="list-style-type: none"> • Member Development – To provide an update on Member training for the Committee’s information and seek support for the classification and requirements in relation to the Member training programme • Statistics – code of Conduct Arrangements – Annual update – To provide an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct • Proposed amendments to the Constitution - To consider proposed amendments to the Constitution • Carried Motions on Notice - Predecessor Councils - The Committee to consider carried Motions from Predecessor Councils, with reasons provided proposed for re-adoption. • Work Programme 2023/2024 - To approve the Work programme for 2023/2024
9 March 2023	<ul style="list-style-type: none"> • Boundary Review Task and Finish Group - To provide an update on progress of the work of this Task and Finish Group • Proposed amendments to the Constitution - To consider proposed amendments to the Constitution • National Changes – Ethics and Standards – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards (if required) • Proposed Member Development Programme (years 3 and 4) - To provide an update on the proposed Member Development Programme • Work Programme 2023/2024 - To review the Work Programme for the Democracy and Standards Committee
June 2023 (Date TBC)	<ul style="list-style-type: none"> • Register of Members' Interests - To provide an update regarding the operation of the Register of Members’ Interests 2022/2023 • Proposed amendments to the Constitution - To consider proposed amendments to the Constitution • National Changes – Ethics and Standards – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards • Annual Report of the Democracy and Standards Committee 2022/2023 – To consider the draft Annual Report of the Democracy and Standards Committee 2022/2023 • Work Programme 2023/2024 - To review the Work Programme for the Democracy and Standards Committee

September 2023 (Date TBC)	<ul style="list-style-type: none"> • Proposed amendments to the Constitution - To consider proposed amendments to the Constitution • Statistics – code of Conduct Arrangements – Six monthly update – To provide an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct • National Changes – Ethics and Standards – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards • Training for Democracy and Standards Committee - to consider any training specific to the Democracy and Standards Committee Members • Work Programme 2023/2024 - To review the Work Programme for the Democracy and Standards Committee
November 2023 (Date TBC)	<ul style="list-style-type: none"> • National Changes – Ethics and Standards – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards • Proposed amendments to the Constitution - To consider proposed amendments to the Constitution • Work Programme 2023/2024 - To review the Work Programme for the Democracy and Standards Committee
January 2024 (Date TBC)	<ul style="list-style-type: none"> • Statistics – code of Conduct Arrangements – Annual Review – To provide an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct • Member Development – To provide an update on member training for the Committee’s information and seeks support for the classification and requirements in relation to the member training programme • National Changes – Ethics and Standards – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards (if required) • Work Programme 2024/2025 - To propose a work programme for the Committee for 2024/2025