

North Northamptonshire Shadow Overview and Scrutiny Committee

At 7:00 pm on Thursday 9th July 2020

Held as a virtual meeting via Zoom

Present:-

Shadow Members

Councillor M Scrimshaw (Chair)
Councillor J Beirne
Councillor A Davies
Councillor H Harrison
Councillor L Lawman
Councillor M Pengelly
Councillor G Titcombe

Councillor V Perry (Vice Chair)
Councillor C Brown
Councillor J Hakewill
Councillor A Henley
Councillor P McEwan
Councillor M Rowley

Officers

E Elliott – Interim Head of Paid Service
Paul Goult – North Northamptonshire
Democratic Services
B Smith – North Northamptonshire
Democratic Services

B Gill – Interim Monitoring Officer
G Hammons – Interim Chief Finance Officer
F McHugo – North Northamptonshire
Democratic Services

Also in attendance

Mr E Hammond – Centre for Public Scrutiny (CfPS)

1 Apologies for Absence

No apologies were received.

2 Notifications of requests to address the meeting

No requests to address the meeting had been received on this occasion.

3 Members' Declaration of Interest

Councillors were invited to declare any matters of interest on items to be discussed during the meeting. No declarations were made.

4 Announcements

The Chair briefly summarised the role of the Committee and welcomed participants representing sovereign councils from across North Northamptonshire.

5 Terms of Reference and Meeting Schedule of the Shadow Overview and Scrutiny Committee

The report before Members detailed the Terms of Reference of the Committee as contained within the Authority's approved Constitution.

The report also contained details of the scheduled committee dates for the year 2020/2021.

The recommendations in the report were **MOVED** by Councillor M Scrimshaw, and **SECONDED** by Councillor H Harrison.

RESOLVED that:-

- (i) The Committee's responsibilities and Terms of Reference as detailed in Part 2 Articles and Part 3 Responsibility for Functions of the North Northamptonshire Shadow Authority Constitution be noted; and
- (ii) The Committee's Schedule of Meetings 2020/21 as detailed in the report be noted.

6 Forward Plan of Decisions – July to October 2020

The Committee received a copy of the Forward Plan of Decisions to be determined by the Shadow Executive Committee issued by the Shadow Authority for the period 1st July 2020 to 31st October 2020. It was noted by the Chair that currently there were few items listed on the Plan, and none of these was identified as a Key Decision.

The Chair stressed the importance of the Overview and Scrutiny Committee having the opportunity, where possible, to present the Shadow Executive Committee with its [Overview and Scrutiny] view on decisions under consideration prior to determination of those items. The Chair felt that by providing comment prior to determination this may provide the Shadow Executive Committee's decision making process with some additional benefit.

Councillor Hakewill noted that there were three items listed for the Shadow Executive Committee meeting of the 23rd July 2020. The exact details of these were unknown, and Councillor Hakewill wondered whether Overview and Scrutiny members would have the opportunity, even informally, to comment and feed-in views on these items. Councillor Hakewill recognised they were not marked as Key Decisions, however the determination of these items would have an impact up to Vesting Day, and potentially for the new unitary council.

The Chair agreed that it would be preferable for the Overview and Scrutiny Committee to be able to comment on items prior to determination as a general principle. The Chair recognised in relation to the Highways contract listed on the Forward Plan that would be currently for determination by Northamptonshire County Council, and the Shadow Authority were being consulted. The Chair also noted that the Programme Director's Update item was something which it would not be unreasonable to receive after it had been to the Shadow Executive Committee.

The Interim Head of Paid Service indicated to the Committee, that the Future Northants Programme Draft Blueprint may provide a useful starting point for Members when considering their own work plan. In addition, the budget-setting process for 2021/22 would also provide the Committee with a significant item for discussion. It was confirmed that the Highways contract would be determined by the county council. The Interim Head of Paid Service also confirmed that a report on branding for the Shadow Authority only may be discussed on 23rd July 2020.

The Chair asked with regard to the items listed for the Shadow Executive Committee on 23rd July, what mechanism was in place for the Overview and Scrutiny Committee to be able to input views or comments prior to determination. The agenda and papers had yet to be issued.

The papers for the next Shadow Executive Committee would be published next week. It was noted that the Chair of the Overview and Scrutiny Committee was entitled to attend meetings of the Shadow Executive Committee and permitted to address the Committee.

The Chair queried, noting that the Committee had just agreed its schedule of meetings, whether the Overview and Scrutiny Committee could meet after the Executive's agenda had been published, in order to have time to consider potential comments that it wished to submit on decision items.

The Chair suggested that one potential mechanism for dealing with the business scheduled for the Executive on 23rd July, would be for Members of the Committee who had comments once the papers were issued to email around for discussion. As Chair, Councillor Scrimshaw could present agreed comments to the Executive at its meeting on 23rd July 2020.

The Chair suggested that officers may wish to look at rescheduling meetings of the Shadow Overview and Scrutiny Committee to accommodate the ability for the Committee's members to comment on the Shadow Executive Committee reports prior to determination. Officers agreed to look at the possibility of accommodating this.

Councillor Harrison agreed that it was preferable for the Committee to consider items prior to decisions being taken, rather than after the event. Councillor Harrison also sought confirmation that the Forward Plan was refreshed on a monthly basis. Officers confirmed that a new Forward Plan was issued on a monthly rolling basis covering a 6-month period.

Councillor Pengelly raised concerns regarding the Highways contract item, and sought clarity as to whether this was a countywide contract. Councillor Pengelly felt that it was important that Members had an opportunity to comment on any proposals.

The Interim Head of Paid Service understood that the Highways contract would be procured in two lots, North and West, whilst the service may not be fully disaggregated on Vesting Day it was intended for two separate contracts to operate. There were benefits in undertaking one procurement exercise for two lots. Any agreed contract would novate to the new unitary council.

The Chair was reminded of his right to address the Shadow Executive Committee when they considered this item, and that the final decision on this item rested with the county council. The Chair noted that on this occasion it may be necessary for Committee members to discuss their views collectively off-line, and for him to consider potential representations on this issue.

Councillor Lawman also expressed concerns regarding the Highways contract item, and that the decision making rested with the county council on this occasion. Councillor Lawman queried whilst recognising they may be two lots, whether they were interdependent upon each other as a contract. It was again

confirmed that the county council would make the decision on the Highways contract, and it was not within the remit of the Shadow Authority to do so. The Interim Head of Paid Service stressed that sovereign councils were still able to determine items falling under their responsibility up until Vesting Day. The Shadow Authority, through the Shadow Executive Committee, were being consulted by the county council on this matter.

Councillor Perry reminded colleagues, that the Highways contract issue was tabled to be discussed by the county council's Cabinet next week, and Members could register to speak on that item if they wished.

Councillor Hakewill hoped that reports circulated to the Committee would be done so in a timely manner, and "to follow" items avoided. Councillor Hakewill also expressed concern that whilst recognising that the Chair had an automatic right to address the Shadow Executive Committee, the ability for other Members to address the Committee was restricted in his opinion.

Councillor Hakewill also expressed concerns regarding the role of the Task and Finish Groups established by the Shadow Executive Committee. These Groups did not have public meetings, nor were non-Group Members permitted to attend or have access to working documents and papers.

The Chair recognised the concerns raised by Councillor Hakewill regarding the Groups and felt that it was important that Overview and Scrutiny had some understanding of the Group's deliberations, in order to avoid potential duplication of effort at a later date. It was recognised that the Groups would report back to the Shadow Executive Committee, at which point the Overview and Scrutiny Committee could comment. It was suggested that it may be preferable to have an earlier understanding of the discussions and deliberations of the respective Groups.

Councillor Davies felt that it would be helpful for the Committee to have a better understanding of the key decisions to be made over the coming months, particularly a greater understanding of where decisions were likely to have a significant impact on the new unitary council.

The Chair commented that it would be useful to have an idea of the timeline for reporting-in for each of the Groups; this may aid the Committee in formulating their work plan. The Interim Head of Paid Service drew the Committee's attention to a previous report considered by the Shadow Executive Committee that detailed this information. Any recommendations from the Groups would feed into the Shadow Executive Committee, and be available for scrutiny. The Groups were not decision making bodies.

The Interim Head of Paid Service confirmed that the documentation relating to the Groups' work was not generally available, but suggested that some form of summary document may be prepared, which the Overview and Scrutiny Committee could consider ahead of any final Group recommendations. The Interim Head of Paid Service would consider this matter and report back to Committee.

The Chair requested that the timelines for the Groups be circulated to Committee members, and that potentially Committee Members may have access, in confidence, to the Group's papers ahead of any public discussion. A release of

papers may assist in adding value to the Committee's subsequent discussions on the respective topics.

Councillor Beirne was concerned that if the Highways contract was poorly procured this would have ramifications for many years. Councillor Beirne requested details of the proposed timespan of the contract. It was agreed that a link to the county council Cabinet's Highways contract report be circulated to Members of the Committee.

Councillor Beirne also noted that there were likely to be county council Members from North Northamptonshire on the Cabinet: Members of the Overview and Scrutiny Committee could lobby those Cabinet Members if any concerns needed to be raised.

Councillor Harrison raised the issue that Shadow Members do not currently have North Northamptonshire email addresses. Councillor Harrison noted Shadow Executive Committee members had been given addresses and some officers. The Chair agreed that as a matter of urgency Members be furnished with their respective North Northamptonshire email addresses. Officers agreed to raise this matter with their colleagues at the PMO in order to try to expedite this matter.

Councillor Perry suggested that whilst welcoming a précis of the work undertaken by Task and Finish Groups as suggested, some Members may be happy to receive full documentation and that this be considered. Councillor Perry also suggested that Members of the Overview and Scrutiny Committee be allowed access to meetings of the Task and Finish Groups in an observer capacity. This would assist in Members having a better understanding of the subject matter, and assist in avoiding duplication of discussion at a later stage.

Councillor Hakewill agreed with this suggestion, and suggested that Members had a right to attend as observers. The Chair agreed with this proposal.

Returning to a previous discussion item, Councillor Lawman noted that the Highways contract report was being discussed by the county council Cabinet next week. As such, Councillor Lawman suggested that it was unlikely that the Shadow Overview and Scrutiny Committee would be able to influence the Cabinet prior to a decision being made.

Councillor Beirne expressed concern that there was a danger that the Committee may attempt to micro-manage officers and other Members, and that there was a need to clarify the role of the Committee to ensure that it focused on the appropriate items. Being new to the scrutiny role, Councillor Beirne sought clarification as to how the scrutiny function would fulfil its responsibilities going forward.

Councillor Perry MOVED, and Councillor Hakewill SECONDED, that the Shadow Overview and Scrutiny Committee Members be granted observer status to attend meetings of the Task and Finish Groups.

Councillor Henley in speaking in support of the proposal, suggested that it may be appropriate for officers to advise which of the Groups the Committee may have a particular interest in. Councillor Henley suggested that it may be appropriate for Committee Members' time to be allocated across the Groups to avoid duplication, and ensure that an informed contribution could be made at Committee when Group recommendations were formally tabled for discussion.

Councillor Hakewill suggested that it should be left to Members to decide whether they wished to attend all or some of the Group's meetings. Councillor Hakewill was aware some Groups had already met, and that some of these were likely to conclude their respective deliberations in a matter of weeks. Councillor Hakewill was concerned that waiting for the Shadow Executive Committee to consider this requests at its next meeting on 23rd July 2020 would be too late. The Chair noted this concern, and suggested that it may be appropriate to raise this matter, if agreed by Committee, with the Leader of the Authority direct.

RESOLVED that:-

- i) The Shadow Overview and Scrutiny Committee request that Members of the Committee be granted observer status to attend meetings of the Task and Finish Groups established by the Shadow Executive Committee.

Councillor Hakewill wondered whether it may be appropriate for the Committee to establish its own Task and Finish Panels rather than wait for a future meeting to do so, given that work on various topics was being undertaken at some pace to meet the Vesting Day deadline.

In addition, Councillor Hakewill queried whether Shadow Members could request sight of invoices being paid by the Shadow Authority on the Re-organisation Programme. The Interim Head of Paid Service informed the Committee that the Shadow Authority did not pay invoices direct, any costs incurred on the Programme were paid through the county council or Daventry District Council. Officers would advise Members accordingly where they could view transactional data. It was noted that a Financial Report would be tabled at the next Shadow Executive Committee meeting, but officers would seek to inform Members where such information was available for perusal.

Councillor Pengelly requested what significant contracts were likely to be determined by the county council which would have an impact on the future unitary council. The Interim Head of Paid Service reminded the Committee that at the previous Shadow Executive Committee meeting it was agreed that any new spend (use of reserves, award of contracts etc) over £100k being proposed by sovereign councils needed to be submitted to the Shadow Authority for information. Any proposals would be tabled at the Shadow Executive Committee, but it would be a sovereign council responsibility to determine.

In conclusion, the Chair would instigate an email discussion with Committee Members outside of the meeting, with regard to any potential representations to be made to the Shadow Executive Committee on the Highways contract issue.

7 Exempt Items

There were no exempt items discussed.

8 Urgent Items

There were no urgent items discussed.

9 Close of Meeting

The Chair declared the meeting closed at 8:05 pm.