

## **Cherwell District Council and South Northamptonshire Council**

### **Joint Commissioning Committee**

Minutes of a meeting of the Joint Commissioning Committee held at The Forum, Moat Lane, Towcester, NN12 6AD, on 15 September 2016 at 6.00 pm

Present: Councillor Nicholas Turner (Chairman)  
Councillor Ian McCord (Vice-Chairman)

Councillor Anthony S. Bagot-Webb  
Councillor Phil Bignell  
Councillor Roger Clarke  
Councillor Chris Lofts  
Councillor G A Reynolds  
Councillor Barry Wood

Substitute Members: Councillor Simon Holland (In place of Councillor Ken Atack)

Apologies for absence: Councillor Ken Atack  
Councillor Barry Richards  
Councillor Dan Sames

Officers: Karen Curtin, Commercial Director  
James Doble, Assistant Director Transformational Governance  
Claire Taylor, Assistant Director - Commercial and Innovation  
Paula Goodwin, Human Resources and Organisational Development Manager  
Adrian Colwell, Head of Strategic Planning and the Economy, for agenda item 13  
Andy Preston, Head of Development Management, for agenda item 13  
Hedd Vaughan Evans, Transformation Project Manager, for agenda item 13  
Natasha Clark, Interim Democratic and Elections Manager

#### **25 Declarations of Interest**

There were no declarations of interest.

#### **26 Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

#### **27 Chairman's Announcements**

There were no Chairman's announcements.

28 **Minutes**

The Minutes of the meeting of the Committee held on 21 July 2016 were agreed as a correct record and signed by the Chairman.

29 **Draft People and Organisational Development (OD) Strategy**

The Commercial Director submitted a report to provide the Committee with a background and context to the Draft People and Organisational Development Strategy for review.

In presenting the report, the Human Resources and Organisational Development Manager advised the Committee that the informal meeting of the Joint Councils Employee Engagement Committee had considered the and endorsed the Strategy recommending it be approved by the Joint Commissioning Committee.

**Resolved**

- (1) That, subject to the inclusion of reference to the competency framework being used for recruitment and clarity as to the current extent of the harmonisation of terms and conditions, the draft People and Organisational Development Strategy (annex to the Minutes as set out in the Minute Book) be agreed.
- (2) That the draft People and Organisational Development Strategy Action Plan (annex to the Minutes as set out in the Minute Book) be agreed.

30 **Staff Survey 2016 - Action Plan**

The Commercial Director submitted a report to provide the committee with a proposed Action Plan in relation to the findings from the Staff Survey undertaken during 2016. The action plan will be in place for the period before the next Staff Survey takes place, which is likely to be two years.

In presenting the report, the Human Resources and Organisational Development Manager advised the Committee that the informal meeting of the Joint Councils Employee Engagement Committee had considered the and endorsed the Strategy recommending it be approved by the Joint Commissioning Committee.

**Resolved**

- (1) That the draft Action Plan (annex to the Minutes as set out in the Minute Book) be endorsed and it be noted that the final version of the Action Plan would incorporate feedback from the Unions, JEC, Joint Councils Employee Engagement Committee, the Joint Commissioning Committee and the Joint Management Team.

31 **Indemnities for Members and Officers**

The Head of Law and Governance and Assistant Director- Transformational Governance submitted a report to consider and recommend to the respective Cherwell District and South Northamptonshire full Councils the adoption of a joint indemnities policy for members and officers.

**Resolved**

- (1) That the respective CDC and SNC Full Councils be recommended to agree that, pursuant to the Local Authorities (Indemnities for Members and Officers) Order 2004 ("the Order") and indemnity be granted to Members and officers of the Councils in the terms set out in the annex to the Minutes (as set out in the Minute Book), such indemnity to replace the existing one in place at SNC.
- (2) That the Chief Finance Officer be requested to secure insurance to cover the liability under the indemnity in the event that such cover is available and subject to him being satisfied that such action would be financially prudent.
- (3) That it be agreed that the appointment of a Member to a position with an organisation which comes within the indemnity shall be treated as appointment as a representative of the Council for the purposes of the SNC Members' Code of Conduct, and as an appointment to a role which is deemed to part of the role of an elected member for the purposes of the CDC Members' Code of Conduct.
- (4) That it be deemed that appointments of Members and officers to organisations (including those where the Council nominates and the organisation formally appoints) be deemed as "advancing the interest of the Council" for the purposes the Terms of Indemnity.

32 **Protocol on the Respective Roles of Members and Officers and Dealing with Conflicts of Interest and Ethical Walls Procedure**

The Head of Law and Governance and Assistant Director - Transformational Governance submitted a report to consider the updated protocol on roles and conflicts of Interest and Ethical Walls procedure and recommend its adoption to both full councils.

**Resolved**

- (1) That the respective Cherwell District Council and South Northamptonshire Council Full Councils be recommended to agree the adoption of the updated Protocol on the Respective Roles of Members and Officers and Dealing with Conflicts of Interest and Ethical Walls Procedure.

33 **Establishment of Joint Local Authority Owned Companies**

The Assistant Director - Transformational Governance submitted a report to begin the process of establishing joint local authority owned companies to deliver the savings identified in business cases for joint working and/or business transformation.

### **Resolved**

- (1) That the legal, financial and human resources work that is taking place with regard to the establishment of the companies be noted.
- (2) That a Joint Shareholder Committee be appointed as a sub-committee of the Joint Commissioning Committee of 4 councillors, 2 SNC and 2 CDC, (Councillor Rebecca Breese and Councillor Tony Bagot-Webb appointed to represent SNC and authority delegated to the CDC Leader to appoint the 2 CDC Members) with the terms of reference as set out in the annex to the Minutes (as set out in the Minute Book).
- (3) That the South Northamptonshire Council Cabinet and the Cherwell District Council Executive be recommended to give delegated powers to the Joint Commissioning Committee to take all executive decisions with regard to any established and future shared service and all executive decisions relating to any joint local authority owned company established pursuant to a shared service business case.
- (4) That the South Northamptonshire Council Cabinet and the Cherwell District Council Executive be recommended to give delegated authority to the Joint Commissioning Committee to approve the nomination of elected Members and officers to be appointed as Directors by joint local authority owned companies.
- (5) That the South Northamptonshire Council Cabinet and the Cherwell District Council Executive be requested to establish and register joint local authority owned companies limited by shares comprising a principal Company to be wholly owned by the Councils in equal shares and a subsidiary trading company to be majority owned by the principal company with a minority interest owned by the Councils to enable the Revenues and Benefits Business Case and other future commercial opportunities to be achieved.
- (6) That the South Northamptonshire Council Cabinet and the Cherwell District Council Executive be recommended to give delegated authority to the Chief Finance Officer in consultation with members of the Joint Shareholder Committee to take all measures necessary to enable the establishment of jointly owned companies, where business cases have been agreed.
- (7) That officers be requested to prepare a detailed implementation plan including a draft business case, financial model, articles of association, shareholder agreement and communications plan for the creation of the companies to be considered by the Joint Commissioning Committee

34 **Urgent Business**

There were no items of urgent business.

35 **Exclusion of the Public and Press**

**Resolved**

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 4 of Schedule 12A of that Act.

36 **Draft Business Cases: Joint Planning Policy and Growth Strategy Team and Joint Design and Conservation Team**

The Head of Development Management and the Head of Strategic Planning and the Economy submitted an exempt report which presented the draft business cases for a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team across Cherwell District and South Northamptonshire Councils.

**Resolved**

- (1) That the Draft Business Cases for a Joint Planning Policy and Growth Strategy Team and for a Joint Design and Conservation Team be endorsed as the basis for consultation with staff and trade unions.
- (2) That it be noted that the financial case for each business case would not be completed until the job evaluation process had been completed but that costs were not expected to be higher than those included in the draft business case and may be lower.

The meeting ended at 7.25 pm

Chairman:

Date: