



CABINET REPORT

Report Title	Revision of the Memorandum of Co-operation for the West Northamptonshire Joint Planning and Infrastructure Board
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AGENDA STATUS: PUBLIC / PRIVATE

Cabinet Meeting Date:	5 th February 2020
Key Decision:	YES
Within Policy:	YES
Policy Document:	YES
Service Area:	Planning
Accountable Cabinet Member:	Councillor James Hill
Ward(s)	All

1. Purpose

- 1.1 The purpose of this report is to seek Cabinet's approval for the revised Memorandum of Co-operation between this Council, Daventry District Council, Northamptonshire County Council and South Northamptonshire Council to provide and support a Joint Planning and Infrastructure Board for West Northamptonshire.

2. Recommendations

- 2.1 It is recommended that Cabinet approve and re-sign the revised Memorandum of Co-operation, which is attached at Appendix 1 to this report, with the proviso that it will be reviewed once the Shadow Council for West Northamptonshire is in place.

3. Issues and Choices

3.1 Report Background

- 3.1.1 This Council, Daventry District Council, Northamptonshire County Council and South Northamptonshire Council agreed a Memorandum of Cooperation to provide and support a Joint Planning and Infrastructure Board for West Northamptonshire in 2018. The memorandum sets out a framework for co-operation between the partner councils, as local planning authorities, with respect to strategic planning and development issues that raise cross borough / district council boundary matters affecting them.
- 3.1.2 An audit of the West Northamptonshire Joint Planning Unit (JPU) was recently undertaken by Daventry District Council's internal audit team, which noted that the Memorandum effectively replaced the previous legal agreement between the partner Councils, but lacked the same level of detail, particularly in respect of issues such as finance and procurement. The auditors recommended that the Memorandum be updated to include those aspects of the Finance and Procurement Protocol from the former legal agreement that are integral to the operation of the partnership and the administration of the JPU.
- 3.1.3 In line with the audit recommendation, the Memorandum has been updated by the inclusion of a new Appendix B which includes the key elements of the Finance and Procurement protocol from the former legal agreement. These include arrangements for budget setting, monitoring and procurement procedures.
- 3.1.4 At its meeting of 14th January, the West Northamptonshire Joint Planning and Infrastructure Board recommended that the partner Councils approve and resign the Memorandum, subject to the proviso that it will be reviewed once the Shadow Council for West Northamptonshire is in place. At that meeting, it was also agreed that the Memorandum be amended to make provision for substitute members to attend meetings of the Board.

3.2 Issues

- 3.2.1 The updated Memorandum attached at Appendix 1 does not differ significantly from the existing Memorandum, but the greater level of detail set out in the update will ensure certainty in procedures for the way the Board and the Joint Planning Unit operate, particularly as regards finance and procurement. It has been amended in paragraph 4 of the Terms of Reference to incorporate arrangements for substitute members to attend meetings of the board.
- 3.2.2 Because the Joint Planning and Infrastructure Board is advisory, the updated Memorandum must be agreed by each of the four constituent authorities before it can be signed and brought into effect.

3.3 Choices (Options)

- 3.3.1 **Option 1** - the updated Memorandum of Co-operation is agreed and re-signed. Provided the updated Memorandum is also agreed by Northamptonshire County Council, Daventry District Council and South Northamptonshire Council, this will ensure that the business of the Joint Planning and Infrastructure Board is carried out in accordance with audit recommendations, that there is clarity as to how it and the Joint Planning Unit work in terms of finance and procurement and that there is formal provision for substitutes attend meetings of the Board.
- 3.3.2 **Option 2** - the updated Memorandum of Co-operation is not agreed and re-signed. If there was a dispute between the partners relating to the running of the board or the Joint Planning Unit, it would be difficult to resolve because there would not be sufficiently detailed arrangements in the Memorandum.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 There are no direct policy implications arising from this proposal.

4.2 Resources and Risk

- 4.2.1 There are no financial implications, risk or no-financial resource implications arising from this proposal. The main advantage of the proposal is that, by making the Memorandum more detailed and clearer, it reduces the risks associated with any dispute between the partner councils.

4.3 Legal

- 4.3.1 There are no direct legal implications. The proposed update to the memorandum puts in place clearer and more detailed arrangements between the partner councils.

4.4 Equality and Health

- 4.4.1 The proposed update to the Memorandum does not have any direct policy implications, so an equality impact assessment is not required.

4.5 Consultees (Internal and External)

- 4.5.1 This proposal was considered first by the West Northamptonshire Strategic Planning Board, which is a group of officers from the constituent authorities and the West Northamptonshire Joint Planning Unit. Subsequently, it was considered by this Council's Corporate Management Board

4.6 How the Proposals deliver Priority Outcomes

- 4.6.1 The proposed update to the Memorandum does not relate directly to the strategic priorities in the Corporate Plan. However, by planning strategically, the work of the Joint Planning Unit should help to deliver a stronger economy and more resilient communities.

4.7 Environmental Implications (including climate change issues)

- 4.7.1 The proposed update to the Memorandum does not relate directly to the Climate Emergency. However, by planning strategically, the work of the Joint Planning Unit should help to address climate change.

4.8 Other Implications

- 4.7.1 None

5. Background Papers

Appendix 1 – Updated Memorandum of Co-operation for the West Northamptonshire Joint Planning and Infrastructure Board

6. Next Steps

- 6.1 If the updated Memorandum of Co-operation is agreed by this Council, Northamptonshire County Council, Daventry District Council and South Northamptonshire Council. It can be signed by each Council and come into effect.

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