
MEMBERS' ALLOWANCES SCHEME 2012/13

To: **Council - 6 December 2012**

Main Portfolio Area: **Corporate and Regulatory Services**

By: **Harvey Patterson, Corporate and Regulatory Services Manager**

Classification: **Unrestricted**

Summary: To consider amending the Members Allowances Scheme for the 2012/13 to introduce Special Responsibility Allowances for the four Independent Members of the Standards Committee and the Independent Person and Substitute Independent Person

For Decision

1.0 Current Situation

1.1 There are currently four independent roles on the Standards Committee, these are; Chairman and Vice Chairman of the Standards Committee (who also act as Chairman and Vice Chairman of the Constitutional Review Working Party) and two regular Independent Members. These roles have traditionally attracted modest Special Responsibility Allowances (SRA's) but when Council made the 2012/13 Scheme of Allowances in March this year no provision was made for the Independent Members as it was not clear at that stage whether they would continue to have a role under the new ethical arrangements then to be adopted pursuant to the Localism Act 2011. That issue was resolved on 12 July 2012 when Council agreed to the adoption of new ethical arrangements that included the establishment of a voluntary Standards Committee with four Independent Members and that the roles of Chairman and Vice Chairman of the Standards Committee would be reserved to the Independent Members.

1.2 In addition to the Independent Members of the Standards Committee, the Council is also required by the Localism Act 2011 to appoint an "Independent Person" who may not be a member of the Standards Committee and who must be consulted before a Standards Hearing Sub Committee makes any findings as to whether or not a member has failed to comply with the Code of Conduct, and in that event, whether to impose a sanction. The Council also needs to appoint a substitute Independent Person who can act when the Independent Person is not available. (These appointments are dealt with elsewhere on the Council Agenda). The Localism Act also gives the Council the power to confer an SRA on the Independent Person and Substitute Independent Person.

2.0 Proposals

2.1 When Council made the Scheme of Allowances for 2011/12 it set an SRA for the Chairman of the Standards Committee at the same rate as the Vice Chairman of the Licensing & Regulation Committee and Governance & Audit Committee (£1216) an allowance that was subsequently endorsed by the East Kent Joint Independent Remuneration (EKJIRP). Following consultation with the Group Leaders it is therefore

proposed that Council amends the Scheme of Allowances for 2012/13 to set the following SRA's in respect of the Independent Members and Independent Persons :-

Chairman of Standards Committee	£1216
Vice-Chairman of Standards Committee	£ 400
Independent Member of the Standards Committee (x2)	£ 250
“Independent Person”	£ 250
Substitute “Independent Person”	£ 100
Total	<u>£2466</u>

3.0 Group Leader Consultation

3.1 This report was presented to the last meeting of Council but was deferred to enable the Group Leaders to be consulted on the proposals. The Group Leaders were consulted by e-mail on 23 November 2012 and no objections have been received.

4.0 Effective Date

4.1 If Council is minded to agree the introduction of SRA's as outlined above, it can also determine the start date of those allowances. It is recommended that subject to the comments of EKJIRP SRA's are backdated to the date of appointment by the Council of the respective office holders.

5.0 Recommendations to EKJIRP

5.1 If Council is minded to amend the 2012/13 Scheme of Allowances to introduce SRA's for Independent Members and the Independent Person and Substitute Independent Person, the proposed amendments to the Scheme must be referred to East Kent Joint Independent Remuneration Panel for their comments before they are implemented.

6.0 Corporate Implications

6.1 Financial and VAT

6.1.1 For the 2012/13 financial year the additional costs of the amended Scheme of Allowances will be contained within existing Democratic Services budget.

6.2 Legal

6.2.1 The Council is required to have regard to the recommendations of EKJIRP in making or amending a scheme of allowances.

6.3 Corporate

6.3.1 The level of allowances may impact on the public's perception of the Council.

6.4 Equalities

6.4.1 There are no direct equalities implications to this report.

7.0 Recommendations

- 7.1 That the 2012/12 Scheme of Allowances be amended to introduce Special Responsibility Allowances for the office holders named in paragraph 2.1 of the officers report at the annual amounts set out therein
- 7.2 That the proposed amendments to the 2012/12 Scheme of Allowances be considered by the East Kent Joint Independent Remuneration Committee prior to implementation.
- 7.3 That Council considers the recommendations of the East Kent Joint Independent Remuneration Panel at the next meeting of Council and back dates any allowances to the date of appointment of the respective office holders.

8.0 Decision Making Process

- 8.1 This is a decision for Council. Amendments to the Allowances Scheme must be referred to the East Kent Joint Independent Remuneration Panel and their recommendations taken into account by Council

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Reporting to:	Philip Hamberger, Director of Corporate Services and Transformation

Annex List

None	
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Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	Sarah Martin, Financial Services Manager and Deputy S.151 Officer
Legal	Harvey Patterson, Corporate and Regulatory Services Manager