

MEMBERS ALLOWANCES SCHEME 2017/18

Council – Thursday 1 December 2016

Report Author	Nicholas Hughes – Committee Services Manager
Portfolio Holder	Cabinet Member for Corporate Governance Services
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Ward:	All Wards

Executive Summary:

This report allows Council to adopt a scheme of members' allowances for the 2017/18 financial year. The report outlines the options available Council has to choose from and that the chosen option will be forwarded to the East Kent Joint Independent Remuneration Panel for them to comment on. These comments will then be considered by Council at its meeting on the 9 February.

Recommendation(s):

To adopt the draft 2017/18 Members allowances scheme as set out at annex 1 to this report and to refer the scheme to EKJIRP for them to consider, with any amendments being reported back to Council.

CORPORATE IMPLICATIONS

Financial and Value for Money	<p>If Members agree the draft scheme of Members allowances as outlined at annex 1 to this report, then there will be no direct financial implications as a result of this report.</p> <p>If Members agree to increase the rate of Members' Allowances by up to 1%, then there will be no direct financial implications as a result of this report, as proposals could be contained within the existing budget allocation.</p> <p>If Members agree to increase the rate of Members' Allowances by more than 1%, then additional budget or commensurate savings would need to be identified within the 2017/18 budget build to cover this increase.</p>
Legal	<p>The Council is required to have regard to the recommendations of EKJIRP in making a scheme of allowances.</p> <p>The Council is required to have regard to the recommendations of EKJIRP in making a scheme of allowances.</p> <p>Section 18 of the Local Government and Housing Act 1989 permits the Secretary of State, by regulations, to make a scheme providing for the payment of a basic allowance, an attendance allowance and a special responsibility allowance to members of a local authority. Section 100 of the Local Government Act 2000 permits the Secretary of State, by regulations, to provide for travelling and subsistence allowances for</p>

	<p>members of local authorities, allowances for attending conferences and meetings and reimbursement of expenses. In exercise of these powers the Secretary of State has made the Local Authorities (Members' Allowances) (England) Regulations 2003.</p> <p>The Regulations require the council to make a scheme before the beginning of each year for the payment of basic allowance. The scheme must also make provision for the authority's approach to special responsibility allowance, dependants' carers' allowance, travelling and subsistence allowance and co-optees' allowance. The scheme may also provide for other matters of the kind dealt with in the proposed scheme.</p> <p>When considering the scheme, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't (the public sector equality duty). This consideration should be supported by a proportionate level of equality analysis</p>								
Corporate	The level of allowances may be seen as both impacting on the public's perception of the Council and a factor in making public services as a Councillor attractive to a broad range of potential candidates.								
Equalities Act 2010 & Public Sector Equality Duty	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p> <table border="1"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td></td> </tr> </table> <p>Although it does not directly relate to protected groups, the draft scheme contains the ability to pay a dependent carers allowance to Councillors. This contributes to aims 1 and 2 of the Equality Act as it removes barriers to Councillors standing who have relatives that may be in need of dependent care.</p>	Please indicate which aim is relevant to the report.		Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	✓	Advance equality of opportunity between people who share a protected characteristic and people who do not share it	✓	Foster good relations between people who share a protected characteristic and people who do not share it.	
Please indicate which aim is relevant to the report.									
Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	✓								
Advance equality of opportunity between people who share a protected characteristic and people who do not share it	✓								
Foster good relations between people who share a protected characteristic and people who do not share it.									

CORPORATE PRIORITIES (tick those relevant)✓	
A clean and welcoming Environment	
Promoting inward investment and job creation	
Supporting neighbourhoods	

CORPORATE VALUES (tick those relevant)✓	
Delivering value for money	
Supporting the Workforce	✓
Promoting open communications	

1.0 Introduction and Background

- 1.1 This paper gives Council the opportunity to adopt a scheme of Members allowances for the 2017/18 financial year.

2.0 Draft 2017/18 Scheme of Members Allowances

- 2.1 After consulting with all the Group Leaders, Democratic Services have created a draft 2017/18 scheme of Members allowances that is the same as the existing 2016/17 scheme of Member allowances; this draft scheme is attached at Annex 1 to this report.
- 2.2 The draft 2017/18 scheme of Members allowances does not change the level of basic allowance, special responsibility allowances or mileage rates from the 2016/17 rates.
- 2.3 The only changes to the scheme are updating dates, updating Schedule 2 to reflect the changes made to the lists of outside bodies through the 2016/17 municipal year and confirming that Members are no longer entitled to be part of the Local Government Pension Scheme.
- 2.4 Although the consultation with Group Leaders indicated that no increase was preferred, there is provision within the draft budget (to be agreed elsewhere on this agenda) for the rates of Members' Allowances to be increased by 1% for the 2017/18 financial year.

3.0 Options

- 3.1 Council can choose
- a) To adopt the draft 2017/18 Members allowances scheme as set out at annex 1 to this report and to refer the scheme to EKJIRP for them to consider, with any amendments being reported back to Council.
- b) To suggest amendments to the draft 2017/18 Members allowances scheme such as increasing the level of basic allowance, special responsibility allowances or mileage rates by 1%, amending subsistence rates or amending travel allowances and to adopt the amended allowances scheme and to refer the scheme to EKJIRP for them to consider, with any amendments being reported back to Council.
- 3.2 It should be noted that if Members agree to increase the rate of Members' Allowances by more than 1%, then an additional budget or savings would need to be identified in the draft budget to cover the increase above 1%.

4.0 Next Steps

- 4.1 It is for Council to agree the Members' Allowances Scheme. However the scheme and any amendments made would need to be the subject of consultation with the East Kent Joint Independent Remuneration Panel. The Remuneration Panel can then make recommendations back to Council, any recommendations will then be considered by Council at its meeting on 9 February 2017.

Contact Officer:	Nicholas Hughes, Committee Services Manager
Reporting to:	Tim Howes, Director of Corporate Governance

Annex List

Annex 1	2017/18 Draft Scheme of Members Allowances
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Background Papers

Title	Details of where to access copy
None	

Corporate Consultation

Finance	Matthew Sanham, Corporate Finance Manager
Legal	Timothy Howes, Director of Corporate Governance and Monitoring Officer