

MEMBERS ALLOWANCES SCHEME 2019/20

Council	16 May 2019
Report Author	Nicholas Hughes – Committee Services Manager
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Ward:	All Wards

Executive Summary:

This report is provided to allow for changes to the members allowances scheme as a result of the Committees, Panels and Boards item elsewhere on the agenda.

The current scheme of allowances was designed for two opposition groups of the same size, as a result of the recent District Council elections it is no longer necessary for this situation to continue and so the scheme can now be amended to reflect a single major opposition group.

In addition, the options outlined in the Committees, Panels and Boards report all revert to a single Overview and Scrutiny Panel. As a result the number of special responsibility allowances will change compared to the 2019/20 scheme of allowance agreed by Full Council in February of this year.

If a revised scheme is agreed it 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 a future meeting.

Recommendation(s):

To adopt the revised 2019/20 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 revised 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 more than that set out in the report, then additional budget or commensurate savings would need to be identified within the 2019/20 budget 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>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</p>

	<p>the Local Government Act 2000 permits the Secretary of State, by regulations, to provide for travelling and subsistence allowances for 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" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: left; padding: 2px;">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td style="padding: 2px;">Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="text-align: center; padding: 2px;"><input checked="" type="checkbox"/></td> </tr> <tr> <td style="padding: 2px;">Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td style="text-align: center; padding: 2px;"><input checked="" type="checkbox"/></td> </tr> <tr> <td style="padding: 2px;">Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td style="text-align: center; padding: 2px;"><input type="checkbox"/></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,	<input checked="" type="checkbox"/>	Advance equality of opportunity between people who share a protected characteristic and people who do not share it	<input checked="" type="checkbox"/>	Foster good relations between people who share a protected characteristic and people who do not share it.	<input type="checkbox"/>
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CORPORATE PRIORITIES (tick those relevant)✓	
A clean and welcoming Environment	

CORPORATE VALUES (tick those relevant)✓	
Delivering value for money	

Promoting inward investment and job creation		
Supporting neighbourhoods		

Supporting the Workforce		✓
Promoting open communications		

1.0 Introduction and Background

- 1.1 This paper gives Council the opportunity to revise the scheme of Members allowances for the 2019/20 financial year as a result of consequential changes from the Committees, Panels and Boards item elsewhere on this agenda.

2.0 Potential changes

2.1 Opposition SRA's

- 2.1.1 The existing scheme has 2 SRA's for Opposition Group Leader of a group with more than 10 members and also 2 SRA's for Deputy Opposition Group Leader of a group with more than 10 members. In addition it has SRA's 6 SRA's for Opposition Spokesman. All of these SRA's were created as a result of there being 2 opposition groups of the same size in the previous administration. As the political balance of the Council has now changed there is no need for this arrangement.
- 2.1.2 It is therefore proposed to revert to the previous arrangements. This would mean the following new allowances replacing those mentioned above:

- 1 Opposition Group Leader - SRA of £5,762
- 1 Opposition Deputy Group Leader - SRA of £2,862
- 3 Opposition Spokespersons - SRA of £2,862 each.

2.2 Overview and Scrutiny SRA's

- 2.2.1 It is proposed in the Committees, Panels and Boards item elsewhere on this agenda to revert to one Overview and Scrutiny Panel and disband the Executive, Policy and Community Safety Panel and the Finance, Budget and Performance Scrutiny Panel.
- 2.2.2 There currently are Special Responsibility Allowances (SRA) for the Chairman and Vice-Chairman of both the Scrutiny Panels. These would need to be removed from the scheme and replaced with a single Chairman and Vice-Chairman's SRA for the new Overview and Scrutiny Panel.
- 2.2.3 Previously when the Council had one Scrutiny Panel, the Chairmanship was remunerated at a level on a par with a Cabinet Member. The Vice-Chairman of the Panel was remunerated at the level of Licensing Committee Chairman. It is proposed to return to these levels. This would result in a Scrutiny Chairman SRA of £7,990 and a Scrutiny Vice-Chairman SRA of £3216.
- 2.3 There are no other changes to the scheme at the present time. The amended scheme is attached to the report at Annex 1.

3.0 Options

- 3.1 Council can choose;
- a) To adopt the revised 2019/20 Members allowances scheme as set out at annex 1 to this report taking into account the changes outlined in the report and to refer the scheme to EKJIRP for them to consider, with any amendments being reported back to Council.

- b) To retain the current scheme of allowances and take no further action.

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 a future meeting.

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Reporting to:	Tim Howes, Director of Corporate Governance

Annex List

Annex 1	2019/20 Draft Scheme of Members Allowances
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Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Finance	Chris Blundell, Head of Financial Services and Procurement
Legal	Timothy Howes, Director of Corporate Governance and Monitoring Officer