

# APPOINTMENT OF AN EAST KENT JOINT REMUNERATION PANEL

Council	<b>Thursday 5 December 2019</b>
Report Author	<b>Director of Corporate Governance and Monitoring Officer</b>
Portfolio Holder	<b>Cllr Duckworth, Cabinet Member for Corporate Governance and Coastal Development</b>
Status	<b>For Decision</b>
Classification:	<b>Unrestricted.</b>
Key Decision	<b>No</b>

## **Executive Summary:**

To appoint an Independent Remuneration Panel as required under the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended).

## **Recommendation(s):**

- (a) To confirm the Council's continued participation in the East Kent Joint Independent Remuneration Panel (EKJIRP) until 30 November 2023.
- (b) To appoint Mrs Kerry Sabin-Dawson and Mrs Sue Longden as Thanet District Council's representatives on the EKJIRP for a four year term expiring on 30 November 2023.

## **CORPORATE IMPLICATIONS**

<b>Financial and Value for Money</b>	The Council currently pays Dover District Council an annual fee for their services administering the EKJIRP. The fee also covers the cost of the allowances described in paragraph 2.10. If Option one is agreed then there would be no financial implications as there would be sufficient existing budgets to cover the proposed costs. If option 2 is chosen, there would not be sufficient existing funds to facilitate organising and running an Independent Remuneration Panel in the existing budget. Council would need to identify alternative sources of funding in order to facilitate this option.
<b>Legal</b>	The Council is required to appoint an Independent Remuneration Panel under the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) for the purpose of making recommendations to the Council in respect of its Members' Allowances Scheme. The Council is then required to have regard to those recommendations in making a scheme of allowances, but it is not obliged to accept them.
<b>Corporate</b>	The level of Councillor 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.
<b>Equality Act 2010 &amp; Public</b>	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

<b>Sector Equality Duty</b>	<p>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, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only aim (i) of the Duty applies to Marriage &amp; civil partnership.</p>
<p>Please indicate which aim is relevant to the report.</p>	
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.	

<b>CORPORATE PRIORITIES (tick those relevant)✓</b>	
Growth	<input checked="" type="checkbox"/>
Environment	<input checked="" type="checkbox"/>
Communities	<input checked="" type="checkbox"/>

## 1.0 Introduction and Background

- 1.1 The Council is required to appoint an Independent Remuneration Panel under the Local Authorities (Members' Allowances) (England) Regulations 2003 for the purpose of making recommendations to the Council in respect of its Members' Allowances Scheme.
- 1.2 Since 2002 the Council has operated a Joint Independent Remuneration Panel with neighbouring authorities and in 2007 the first East Kent Joint Independent Remuneration Panel was formed by Dover District Council, (the then) Shepway District Council and Thanet District Council. Shepway District Council then ended their involvement in 2008. The current Panel was then formed later in 2008 and consists of 5 members appointed jointly by Canterbury City Council (who joined shortly after Shepway District Council had left), Dover District Council and Thanet District Council. The term of office of this panel will expire on 30 November 2019.
- 1.3 Following the May 2019 elections, consultation was undertaken with the other partner authorities in the EKJIRP regarding continuing with the current arrangements of a shared Panel. This report seeks to confirm the Council's continued participation.

## 2.0 The Current Situation

- 2.1 The key responsibilities of the Panel as set out in the Regulations are to make recommendations as to the responsibilities or duties in respect of which the following allowances should be made available and the amount of allowance:

- Basic Allowance;
  - Special Responsibility Allowances;
  - Member Travel and Subsistence allowances;
  - Dependent Carers Allowances; and
  - Index linking arrangements for allowances.
- 2.2 The Council must consider the recommendations of the Panel when making a decision in respect of any of the allowances set out above but does not have to adopt the recommendations of the Panel.
- 2.3 In addition, the Panel also makes recommendations to Town and Parish Councils in respect of the level of Parish Basic Allowance and Parish Chairman's allowance.
- 2.4 The Regulations require that the Panel be composed of "at least three members, none of whom...is also a member of an authority in respect of which it makes recommendations...or...is disqualified from being or becoming a member of an authority".
- 2.5 The Panel membership is currently appointed on the following basis:
- 1 member appointed by Canterbury City Council
  - 2 members appointed by Dover District Council
  - 2 members appointed by Thanet District Council
- 2.6 The quorum for the Panel is 3 members.
- 2.7 The proposed term length of the members of the Panel is for four years, running from 1 December 2019 until 30 November 2023. The Panel will be responsible for appointing its own Chairman from amongst the membership on an annual basis.
- 2.8 It is proposed to re-appoint the two Thanet representatives from the last Panel, Mrs Kerry Sabin-Dawson and Mrs Sue Longden, to the Panel for a third term on the basis of the experience they have accumulated in role as members of the Panel and their knowledge of the area.
- 2.9 The Local Authorities (Members' Allowances) (England) Regulations 2003 make provision for the members of the Panel to be paid an allowance and expenses for carrying out the Panel's functions at a level the authorities determine.
- 2.10 The current allowance arrangements for the members of the East Kent Joint Independent Remuneration Panel were set in 2007. Each Panel member receives an allowance of £300 per annum plus an attendance fee of £75 per meeting. A further allowance of £250 per annum is paid to the Panel's Chairman. The costs of the Panel members' allowances are split equally between the partner authorities and the TDC element is included in the yearly fee that is payable to DDC.
- 2.11 It is not proposed to change the allowance arrangements for the members of the Panel for the duration of the term of office running until 30 November 2023.
- 2.12 The Central administrative support for the Panel is currently provided by Dover District Council's Democratic Services team and it is proposed that this will continue.

### **3.0 Options**

- 3.1 Option 1: To confirm the Council's continued participation in the East Kent Joint Independent Remuneration Panel with Canterbury City Council and Dover District Council.
- 3.2 Option 2: To form an Independent Remuneration Panel for Thanet District Council only.
- 3.3 It is recommended that option 1 is followed as it is a continuation of the current arrangements that have worked well since 2008. It also provides a resilience to the panel through the pooling of resources and the resultant economies of scale. Members are not recommended to choose Option 2, this would result in the Council losing the benefits of being in the partnership and would also mean an increase in costs for the Council. In addition it would also leave TDC without a panel, leaving the council unable to amend its allowances scheme, until such time as a panel could be appointed.
- 3.4 If option 2 is chosen, there would not be sufficient existing funds to facilitate organising and running an Independent Remuneration Panel in the existing budget. Council would need to identify alternative sources of funding in order to facilitate this option.

Contact Officer:	Nick Hughes, Committee Services Manager
Reporting to:	Estelle Culligan, Head of Legal and Democratic Services

#### **Annex List**

Annex 1	Terms of reference for the EKJIRP
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#### **Background Papers**

Title	Details of where to access copy
None	

#### **Corporate Consultation**

Finance	Mathew Sanham, Financial Services Manager
Legal	Estelle Culligan, Head of Legal and Democratic Services