

MEMBERS ALLOWANCES SCHEME 2024/25

Council	22 February 2024
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 the Council to agree the members allowances scheme for the 2024/25 financial year.

Once the scheme is agreed it will be forwarded to the East Kent Joint Independent Remuneration Panel for them to comment on. Any recommendations will then be considered by Council at a future meeting, if no recommendations are made by the EKJIRP, the Council's S.151 officer will finalise the scheme via an Officer decision notice.

Recommendation(s):

1. To adopt the proposed 2024/25 Members allowances scheme as set out at annex 1 to this report and to refer the scheme to EKJIRP for them to consider.
2. Any recommendations from the EKJIRP altering the proposed scheme will be reported back to Council for consideration.
3. If no recommendations are received from the EKJIRP, Council delegates the authority to approve the final scheme to the S.151 Officer.

Corporate Implications

Financial and Value for Money

The financial implications of the decision to uplift the existing allowances is included within the body of this report and can be contained within existing wider Council budgets. Assumptions around future year increases are already factored into the 24/25 Medium Term Financial Strategy and as a result, are also containable.

Legal

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

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 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.

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.

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.

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

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.

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.

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.

Corporate Priorities

This report relates to the following corporate priorities: -

- To keep our district safe and clean
- To deliver the housing we need

- To protect our environment
- To create a thriving place
- To work efficiently for you

1.0 Introduction and Background

1.1 This paper gives Council the opportunity to adopt a Members' Allowances Scheme for the 2024/25 financial year. The proposed scheme includes a proposed increase of 5.75% to allowances and special responsibility allowances which mirrors the 2024/25 staff pay award. This is in accordance with the resolution from the Council meeting on 12 October 2023, that there should be a yearly index link so that the increase to the allowances scheme matches what staff receive as their cost of living increase.

2.0 Basic Allowance

2.1 The 2024/25 Staff cost of living increase was 5.75%, as a result it is proposed that both allowances and SRA's are increased by this amount. A full table of the increases is attached at Annex 1 to this report.

2.2 There are no other changes to the scheme.

3.0 Commencement Date

3.1 The new scheme of allowances would commence from 1 April 2024.

4.0 Options

4.1 i) Council can choose to either

- a) Agree the proposed new scheme including the index linked increase of 5.75%.
- b) Agree the proposed new scheme including an alternative increase or decrease.

and

ii) Any recommendations from the EKJIRP altering the proposed scheme will be reported back to Council for consideration.

iii) If no recommendations are received from the EKJIRP, Council delegates the authority to approve the final scheme to the S.151 Officer.

5.0 Next Steps

5.1 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. If no recommendations are received from

the EKJIRP, the Council is asked to delegate the authority to approve the final scheme to the S.151 Officer

Contact Officer: Nick Hughes, Committee Services Manager

Reporting to: Ingrid Brown (Head of Legal and Democracy & Monitoring Officer)

Annex List

Annex 1: 2024/25 Draft Scheme of Members Allowances.

Background Papers

There are no background papers with this report.

Corporate Consultation

Finance: Matthew Sanham (Head of Finance and Procurement)

Legal: Ingrid Brown (Head of Legal and Democracy & Monitoring Officer)