

**Meeting: COUNCIL**

**Agenda Item: 15**

Portfolio Area: Members' Services

**Date: 29 FEBRUARY 2012**

**MEMBERS' ALLOWANCES – REPORT OF INDEPENDENT REMUNERATION  
PANEL**

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**1 PURPOSE**

- 1.1 To consider the report of the Independent Panel on Members' Allowances and in the light of the report determine a scheme of allowances for 2012/2013.

**2 RECOMMENDATIONS**

- 2.1 That the recommendations of the Independent Panel be agreed.
- 2.2 That outside the Scheme, but in accordance with the recommendations of the Independent Panel, the Allowance for the Mayor and Deputy Mayor be approved at £9,795 and £5,000 per annum respectively and that these allowances be index linked in the same way as allowances paid under the Members' Allowances Scheme.
- 2.3 That the 2011-2012 Members' Allowances Scheme be amended to include a Special Responsibility Allowance for the Leader of the Opposition of £4,000 per annum (as recommended by the Independent Panel). This Allowance to be backdated to 26 May 2011.
- 2.4 That given that the current Standards Committee arrangements will continue until July 2012, the Independent Chair and Independent Members of that Committee continue to receive a monthly allowance based on the 2010/2011 Scheme until 30 June 2012.
- 2.5 That with effect from 1 July 2012 the Independent person who must be consulted on alleged breaches of a code of conduct receive an annual allowance (paid monthly pro-rata) at the same rate as the Co-opted Member of the Audit Committee.
- 2.6 That a new scheme allowances for 2012/2013, as shown at Appendix A, based on the above recommendations, be approved.

### **3 BACKGROUND**

- 3.1 In accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 before an authority makes or amends a scheme that authority shall have regard to the recommendations made to it by an independent remuneration panel.
- 3.2 The last full review of the Stevenage Members' Allowances Scheme by an Independent Panel was undertaken in 2007 and the Scheme agreed each year since then has been based on the recommendations submitted to Council in October of that year.
- 3.3 Attached as Appendix B is the report of the Independent Remuneration Panel that met in November and December 2011. The Panel comprised –
- Stephen Hollingsworth MA FRSA, Management Consultant and Chair of the Corporation of North Hertfordshire College (Panel Chair)
  - Nicholas Moss JP, Chair, Bedfordshire, Hertfordshire and Thames Valley Courts Board and independent chair, North Hertfordshire District Council Standards Committee
  - Bill Welch ACIS, Former Assistant Chief Executive, Stevenage Borough Council
- 3.4 In accordance with the regulations, on receipt of the Panel's report the Council has ensured that copies are available for inspection by members of the public at Daneshill House and has placed a public notice in a local newspaper stating that such a recommendations from the Panel have been received; describing the main features of the Panel's recommendations and the recommended amounts for each allowance; stating that copies of the report are available for inspection; and specifying the address of the principal office at which copies are made available.
- 3.5 Additionally the Panel was requested to consider the level of the mayoral allowances that fall outside the formal Scheme.

### **4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS**

- 4.1 The full report of the Panel is attached at Appendix A and a draft of a new Scheme, based on that report is attached as Appendix B.
- 4.2 It is for Council to consider the recommendations of the Panel and agree a Scheme.
- 4.3 Following the decision taken at Annual Council in May 2011 not to reappoint Neighbourhood Action Teams it became apparent that there were no

Members from the Opposition serving in a post that attracted a Special Responsibility Allowance as required in the Regulations. The Independent Panel was asked to consider this and have recommended that the Leader of the Opposition receive a Special Responsibility Allowance of £4,000 per annum. Accordingly it is recommended that the 2011-2012 Members' Allowances Scheme be amended to incorporate this Special Responsibility Allowances and that this be backdated to 26 May 2011.

- 4.4 At the time the Panel was meeting to consider a new Scheme it was believed that the provisions of the Localism Act 2011 relating to Standards Committees would be in place by the new financial year. It is now known that these new provisions are not to be implemented until July 2012. Accordingly the Standards Committee will be in place up until that time and consideration should be given to the allowances paid to the Independent Chair and Independent Members of that Committee for this period.

## **5 IMPLICATIONS**

### **5.1 Financial Implications**

- 5.1.1 Provision has been made in the 2012/13 Budget for the new Scheme based on the recommendations of the Panel, together with the allowances recommended for the Mayor and Deputy Mayor.

### **5.2 Legal Implications**

- 5.2.1 The provisions of the Local Authorities (Members' Allowances) (England) Regulations 2003 have directed the convening of the Independent Panel; its consideration, report and recommendations; and the process of publicising the recommendations
- 5.2.2 In making the new Scheme, the Council must have regard to the Panel's report but is not strictly obliged to follow its recommendations, although it would be advisable to have good reasons for not doing so.
- 5.2.3 Under the Local Government Act 2000, the Government has issued guidance to local authorities some of which is classed as 'statutory' and may not be disregarded although it is not prescriptive. A full copy of the Guidance is available in the Members' Library

## **BACKGROUND PAPERS**

- The Local Authorities (Members' Allowances) (England) Regulations 2003
- Guidance on Consolidated Regulations relating to SRA's taken from "New Council Constitutions" issued by the ODPM.

## **APPENDICES**

- Appendix A – Proposed 2012/2013 Scheme
- Appendix B – Report of Independent Remuneration Panel