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**Report of Corporate Management Team**

**John Hewitt, Corporate Director, Resources**

**Councillor Simon Henig, Leader of the Council**

**Electoral division(s) affected:**

Countywide

**Purpose of the Report**

- 1 To consider the proposals in the report about appointments to the Independent Remuneration Panel.

**Executive summary**

- 2 Under The Local Authorities (Member's Allowances) (England) Regulations 2003 ("The Regulations") the Council must make a Scheme of Allowances for Members each year. The Regulations also provide that before the beginning of each financial year, the authority shall review the Scheme and before it confirms or amends the Scheme, it shall have regard to the recommendations made by the Independent Remuneration Panel ("the Panel").
- 3 Also provided for in the regulations is that the Authority shall establish an Independent Remuneration Panel which must consist of at least three members.
- 4 In September 2014, council agreed arrangements to refresh the Panel, and a new panel of seven was established for a term expiring on 1 March 2020. There are now three vacancies and it is proposed to make arrangements to establish a new Panel.

**Recommendation**

- 5 Council is asked to agree the following recommendations:

- (a) That a new Panel of up to seven members be established, with the term of office of its members being for a five year period.
- (b) Delegate authority to the Corporate Director, Resources in consultation with the Leader and Deputy Leader of the Council to:-
  - (i) make appointments to establish a Panel of seven, offering appointments to the two existing members appointed in 2015, if they are willing to continue.
  - (ii) undertake a recruitment exercise in accordance with paragraph 17 of the report and make arrangements to fill any vacancies that arise within the term of office of the Panel.
- (c) Record its thanks to the members of the current Panel for their role in reviewing the Member Allowance Scheme since 2014.

## Background

- 6 Under The Local Authorities (Member's Allowances) (England) Regulations 2003 ("The Regulations"), the Council must make a Scheme of Allowances for Members each year.
- 7 The Regulations also provide that before the beginning of each financial year, the authority shall review the Scheme and before it confirms or amends the Scheme, it shall have regard to the recommendations made by the Independent Remuneration Panel ("the Panel"). The Scheme may be amended at any time during the financial year.
- 8 Also provided for in the Regulations is that the Authority shall establish an Independent Remuneration Panel which must consist of at least three members none of whom:-
  - (a) is also a member of an authority in respect of which it makes recommendations or is a member of a committee or sub-committee of such an authority; or
  - (b) is disqualified from being or becoming a member of an authority.
- 9 Authorities are to have regard to guidance that was issued on the regulations and to ensure that their appointments process commands public confidence. The guidance states that the Panel should be:
  - truly independent,
  - well qualified to discharge the functions of the Panel; and
  - representative of the diversity of the communities in the local authority's area.
- 10 Guidance indicates that local authorities will need to consider the term of office of members of the Panel. The Panel may become more effective as its knowledge and understanding of members allowances is increased. Accordingly, local authorities may wish to consider appointing members of the panel for a term of office of several years, perhaps 3 to 5 years.
- 11 Local authorities may advertise for candidates in local newspapers or may ask particular stakeholders, for example for voluntary sector or the local business community to put forward candidates. In all cases the local authority will need to ensure its appointments process is open to public scrutiny.
- 12 Guidance indicates that to maintain credibility of its Panel a local authority will need to consider the extent to which some if not all of its Panel members are recognised members of the local community. Political appointments and any appointments which are made through

friendship or any other personal association with members of the Authority are to be avoided.

### **Existing Independent Remuneration Panel**

- 13 In September 2014 council agreed arrangements for establishing the current Panel which would expire on 1 March 2020. A Panel of seven was established by offering appointments to the existing members if they were willing to continue (four took up the extension), and the Corporate Director, Resources in consultation with the Leader and Deputy Leader of the Council was granted authority to make the appropriate arrangements, and fill any vacancies.
- 14 The Panel has operated well with its seven members however recently there have been three vacancies, and the two longest serving members on the Panel have suggested a refresh of the Panel. Below is the make-up of the current four members on the Panel:-
- John Hitchman- appointed in 2009
  - Kate Welch- appointed in 2009
  - Joyce Drummond-Hill – appointed 2015
  - Alan Fletcher - appointed 2015
- 15 Although the Panel can operate with less than seven members, it is proposed to refresh the Panel now to fill the vacancies before the term of office expires in March 2020.
- 16 Authority is therefore sought to appoint a new Panel of seven. As guidance suggests that appointments are made for several years, it is proposed to offer positions to the existing two members who have served on the Panel since 2015, if they would be willing to continue in this role. However, as the other two existing members have been panel members since 2009 (10 years), in line with guidance it is proposed not to offer an extension to their appointments.
- 17 It is proposed that advertisements in the local press are made to seek candidates for appointment with any appointments made by the Corporate Director, Resources in consultation with the Leader and Deputy Leader of the Council with any future vacancies that arise within the term of office of the Panel be appointed through the same procedure.
- 18 Panel members do not receive an allowance, however they are reimbursed for reasonable expenses.

## **Constitution Working Group**

19 Constitution Working Group at its meeting on 16 April 2019 advised of its support for the proposals.

## **Background papers**

The Local Authorities (Member's Allowances) (England) Regulations 2003

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## **Appendix 1: Implications**

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### **Legal Implications**

To comply with the Local Authorities (Member's Allowances) (England) Regulations 2003 ("The Regulations").

### **Finance**

Advertising costs of seeking applications.

### **Consultation**

None specific within this report.

### **Equality and Diversity / Public Sector Equality Duty**

None specific within this report.

### **Human Rights**

None specific within this report.

### **Crime and Disorder**

None specific within this report.

### **Staffing**

None specific within this report.

### **Accommodation**

None specific within this report.

### **Risk**

None specific within this report.

### **Procurement**

None specific within this report.