

## REVIEW OF THE SCHEME FOR MEMBERS' ALLOWANCES

Governance Committee - 6 June 2023

**Report of:** Monitoring Officer

**Status:** For consideration and decision

**Also considered by:** Council - 18 July 2023

**Key Decision:** No

**Contact Officer(s):** Martin Goodman, ext. 7245; Adrian Rowbotham, ext. 7153

**Recommendation to Governance Committee:**

- (a) That it be recommended to Council that either
- i) the current Scheme for Members' Allowances be retained with no change; or
  - ii) the recommendations of the Joint Independent Remuneration Panel be adopted with effect from 1 August 2023; or that
  - iii) a different recommendation be agreed.

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**Reason for recommendation:** Section 19 of The Local Authorities (Members Allowances)(England) Regulations 2003 states that before an authority makes or amends a Members' Allowance scheme, the authority shall have regard to the recommendations made in relation to it by the Independent Remuneration Panel.

## Introduction and Background

- 1 The Joint Independent Remuneration Panel (JIRP) was established jointly with Tonbridge and Malling and Tunbridge Wells Borough Councils in 2001. Its function is to make separate recommendations for each Council on their Scheme of Members' Allowances.
- 2 The JIRP has now completed its work in respect of the allowances paid to Sevenoaks District Council Members. This work was delayed by the Covid-19 pandemic and by the retirement of former panel members. This means that the current intake of Members will be considering their own allowances. However, Members have been given the opportunity to apply for a dispensation to do this: The dispensation will last for four years from the date of grant.
- 3 The function of the Governance Committee is to receive the report of the JIRP and to recommend any consequent changes to the Members' Allowance Scheme to the Council. By law, the Council must have regard to the recommendations of the JIRP.
- 4 Historically, Council has always ensured that the Scheme of Members' Allowances has stayed within budget. Any departure from this convention would require the Council to find savings in other areas.

## Recommendations

- 5 The report of the JIRP is attached as Appendix A. This recommends modest alterations to the Scheme, within the current budget. All Members were offered the opportunity to meet with the panel and express views. The JIRP also met with the Monitoring Officer and the Deputy Chief Executive and Chief Officer - Finance and Trading.
- 6 In summary, the recommendations of the JIRP are to reduce the Deputy Leader's allowance from £13,269 to £10,505 (pay award pending); to alter the allowance for opposition group leaders so that it applies only to leaders of groups in excess of five Members; to adjust the payment to opposition Leaders from £298 per group Member to £5,529 (pay award pending); and to delete the existing scheme for meal and/or subsistence allowances.
- 7 Any changes agreed by Council would come into effect from 1 August 2023 unless otherwise decided, so as to avoid the need to recoup payments from Members whose allowances decreased. The Members' Allowances Scheme for 2022/23 is Appendix B.

A summary of proposed changes is set out in the following table:

	Current	JIRP Recommendation
Deputy Leader	£13,269	£10,505

Opposition leaders:	£298 per Member	£5,529 if group has more than five Members
Examples:		
14 Members in group:	£4,172	£5,529
4 Members in group:	£1,192	£0
2 Members in group:	£596	£0
Subsistence:		
Lunch	£9.86	£0
Evening Meal	£12.21	£0

### Other options Considered and/or rejected

Members have the full range of options open to them, including taking no action at all. If no action is taken, Member allowances will remain as they are. Whichever option is taken, allowances will continue to be updated annually in line with the National Joint Council for Local Government Services pay award.

### Key Implications

#### Financial

The recommendations in the report are within budgetary provision. Nevertheless, if the recommendations of the JIRP are not adopted and an increase above the cost of the current scheme is agreed, savings will need to be found for the year 2023/24 and a growth item will be needed for the 2024/25 budget process.

#### Legal Implications and Risk Assessment Statement

The Council is required under the Local authorities (Members' Allowances) (England) Regulations 2003 and subsequent amendments to establish and maintain an Independent Remuneration Panel to review and make recommendations to the Council on the range and levels of remuneration for elected Members.

Under the regulations, the Council is required to undertake a full review every four years. A full review was last considered by the Council on 21 November 2017, with its recommendations adopted with effect from May 2019.

Remuneration for Members is intended to ensure that there are no avoidable obstacles preventing people from taking part in the work of the Council. The level

of remuneration needs to be at an appropriate level. Any deviation from the recommendations should be justified with a written record being made.

The statutory basis for the JIRP is the Local Authorities (Members' Allowances) (England) Regulations 2003. The function of the JIRP is to make recommendations to Council in accordance with Statutory Instruments (Primarily 2003 No.1020 and No.1692).

The Council's current Members' Allowance Scheme is set out in Appendix G of the Constitution. A decision to agree a Members' Allowance Scheme within current budgets would be of low risk to the Council.

Upon request, Members have been and (if not already sought) will be granted a Dispensation under s.33 (1) of the Localism Act 2011, to allow participation in this item.

#### Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

#### Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

#### **Conclusions**

The basis of the current level of Members' Allowances for Sevenoaks District Council was established by the Panel in December 2001 following guidance issued by central government. Allowances have been revised following later Panel's recommendations to reflect the changing roles of Members. Until now, any changes have always kept within budget. Members are requested to consider the contents of this report and appendix before making a decision.

**Appendix A** - Recommendations of the Joint Independent Remuneration Panel.

**Appendix B** - Appendix G (Members' Allowances Scheme).

**Martin Goodman**

**Monitoring Officer**