

Appendices: 0



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL

17 May 2018

Agenda Status: Public

Directorate: Borough Secretary

Report Title	Cabinet Member Split
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1. Purpose

- 1.1 To notify full Council that the Chair of the Independent Remuneration Panel (the Panel) has been fully consulted regarding the proposed split of the Cabinet Member responsibilities for Regeneration, Enterprise and Planning and has decided that this is not a matter that justifies consideration by the Panel. It is proposed that the current Cabinet Member (Regeneration, Enterprise and Planning) will be responsible for 60% of the responsibilities – Regeneration and Enterprise; and the current Assistant Cabinet Member for Regeneration, Planning and Enterprise will become the Deputy Cabinet Member for Planning; acquiring 40% of the responsibilities of the current Cabinet Member for Regeneration, Enterprise and Planning.

2. Recommendations

- 2.1 To approve the amendment, and any consequential changes, to the Northampton Borough Council Member's Allowances Scheme as detailed in paragraph 1.1 of this report.
- 2.2 To delegate authority to the Borough Secretary and Monitoring Officer to:
- (a) Amend the Constitution to reflect the new Deputy Cabinet Member for Planning and the updated responsibilities for the Cabinet Member for Regeneration and Enterprise.
 - (b) Amend the Council's Members' Allowances Scheme to reflect the additional Deputy Cabinet Member (Planning.) and the portfolio for the Cabinet Member for Regeneration and Enterprise and approve the 60:40 split of the existing Special Responsibility Allowance as set out in paragraph 4.2.1 of this report.
 - (c) Make arrangements for the publicity that the Council is required to undertake in accordance with Regulation 16 of the Local Authorities (Members' Allowances) (England) Regulations 2003.

3. Issues and Choices

3.1 Report Background

3.1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 (the Regulations) put in place a framework for the preparation, requirements and administration of Schemes for the payment of allowances to Members.

3.1.2 Part 4 of the Regulations makes provision in respect of the establishment of an Independent Remuneration Panel whose functions are to make recommendations concerning Members' allowances.

3.1.3 The Council established an Independent Remuneration Panel (the Panel) in August 2016 with the following remit:

To formulate a view and make recommendations to the Council of the kind set out in the Local Authorities (Members' Allowances) (England) Regulations 2003 namely:-

- (a) as to the responsibilities or duties in respect of which the following should be available-*
 - (i) special responsibility allowance;*
 - (ii) travelling and subsistence allowance; and*
 - (iii) co-optees' allowance;*
- (b) as to the amount of such allowances and as to the amount of basic allowance;*
- (c) as to whether dependants' carers' allowance should be payable to members of the authority, and as to the amount of such an allowance;*
- (d) as to whether, in the event that the Scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made, payment of allowances may be backdated to apply with effect from the beginning of the year in which the amendment is made;*
- (e) as to whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years, before its application is reviewed;*

and to make recommendations in respect of any other matter reasonably referred to the IRP.

3.1.4 Subsequent to the Panel undertaking its original review between August 2016 and March 2017 it was asked to look at two further issues:

- To consider the payment of and (if applicable) amount of allowance for an Independent co-opted Chair of the Council's Audit Committee.
- To consider the payment of and (if applicable) amount of allowance for Independent Members and Parish Councillor Members to the Council's Standards Committee.

3.1.5 A mini review was undertaken by the Panel in May 2017.

3.1.6 The report of the Panel was received and approved by full Council at its meeting on 18 September 2017 and the current scheme of Members Allowances was introduced from May 2017.

3.2 Decision details

3.2.1 The Chair of the Panel, having been consulted on the proposal to split the Cabinet Member for Regeneration, Enterprise and Planning, has provided the following comments:

“On my understanding that (1) the 2 Councillors agree the proposed division, (2) the increase in potential Members able to take Cabinet decisions increases from 7 to 8 and keeps within the upper limit of 10 and (3) there is no increase in the Allowances envelope, as Chair of your IRP Panel I am able to confirm that no wider remuneration review needs to take place.”

3.2.1 Therefore, based on the comments of the Chair of the Panel detailed above, a meeting of the Panel was not required to discuss the proposed change.

3.2.2 The decision as to whether the Council’s Members’ Allowances Scheme should be amended, as recommended by the Panel’s Report, is a matter for full Council. However, Regulation 19 of the 2003 Regulations, states that before Council makes or amends a Scheme, it shall have regard to the recommendations made in relation to it by an Independent Remuneration Panel. Full Council therefore has a legal duty to have regard to the Panel’s recommendations. The recommendations of the Chair of the Panel are detailed at paragraph 3.2.1.

4. Implications (including financial implications)

4.1 Policy

4.1.1 The proposed additional Deputy Cabinet Member for Planning would not increase the overall total of the Members Allowance Scheme.

4.2 Resources and Risk

4.2.1 The Cabinet Member for Regeneration, Enterprise and Planning currently receives a Special Responsibility Allowance (SRA) of £9,570.01. The SRA for a Cabinet Member is 55% of the Leader’s Allowance of £17,400.01. It is proposed that the SRA is split as follows:

Cabinet Member for Regeneration and Enterprise £5,742.01 (60% of the current SRA for Cabinet Members)

Deputy Cabinet Member for Planning £3,828.00 (40% of the current SRA for Cabinet Members)

4.2.2 There would be no net increase to the Members Allowance Scheme.

4.3 Legal

4.3.1 The Council must establish an Independent Remuneration Panel whose function is to make recommendations to the Council concerning allowances payable to Members. The Council must have regard to the Panel’s recommendations prior to amending or making a Members’ Allowances Scheme.

4.3.2 Regulation 16 of the 2003 Regulations states that after receiving a report from the Independent Remuneration Panel which sets out the Panel's recommendations, local authorities must ensure that copies of the report are available for inspection at their principal office at all reasonable hours. Local authorities must also, as soon as reasonably practicable after they receive the report, publish a notice which:

- a) states that the authority has received recommendations from an Independent Panel in respect of its scheme of allowances;
- b) describes the main features of the Panel's recommendations including the amounts of allowances that the Panel has recommended should be payable to Members;
- c) states that copies of the Panel's report are available at the authority's principal office and specifies the address of the principal office.

4.4 Equality

4.4.1 The proposals are considered to have a neutral impact in terms of equality issues.

4.4.2 No Equality Impact Assessment has been carried out.

4.5 Other Implications

4.5.1 None specifically.

5. Background Papers

5.1 None

**Francis Fernandes
Borough Secretary**