



DATE: 7 May 2024
MY REF: RW/CCouncil
PLEASE ASK FOR: Mrs. R. Whitelaw
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Dear Sir/Madam

I summon you to the MEETING of the LEICESTERSHIRE COUNTY COUNCIL to be held at COUNTY HALL, GLENFIELD on WEDNESDAY, 15 MAY 2024 at 2.00 p.m. for the transaction of the business set out in the agenda below.

Yours faithfully

Chief Executive

AGENDA

1. To elect a Chairman.
2. To elect a Vice Chairman.
3. Chairman's Announcements.
4. To receive the report of the Returning Officer. (Pages 3 - 4)
5. To confirm the minutes of the meeting of the Council held on 21 February 2024. (Pages 5 - 16)
6. To receive declarations by members of interests in respect of items on this agenda.
7. To answer questions asked under Standing Order 7(1)(2) and (5).
8. To receive position statements under Standing Order 8.

To consider reports of the Cabinet, Scrutiny Commission, Scrutiny Committees and other bodies:



9. Report of the Cabinet.
 - (a) Dates of Council Meetings 2024/25 and 2025/26. (Pages 17 - 18)
10. Report of the Constitution Committee.
 - (a) Report of the Independent Remuneration Panel on Members' Allowances. (Pages 19 - 30)
11. To make the following appointments in accordance with items 11 and 12 of Standing Order 4:
 - (a) To appoint the Leader (and to note the members which the Leader proposes to appoint to the Cabinet);
 - (b) To appoint such Cabinet Support Members as the Council considers appropriate;
 - (c) To appoint members of the Scrutiny Commission, Boards and Committees (including the naming of Spokesmen/Spokespersons).

COUNTY OF LEICESTERSHIRE**REPORT OF THE RETURNING OFFICER****ELECTION OF COUNTY COUNCILLOR FOR THE BURBAGE
ELECTORAL DIVISION – 2ND MAY 2024**

To report that the person elected was as follows:

<u>Name</u>	<u>Description</u>
Barry Richard Walker	Liberal Democrat

John Sinnott
Returning Officer

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**MINUTES OF THE MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL
HELD AT COUNTY HALL, GLENFIELD ON WEDNESDAY, 21 FEBRUARY
2024**

PRESENT

Dr. R. K. A. Feltham CC (in the Chair)

Mr. R. G. Allen CC, Mr. R. Ashman CC, Mr. T. Barkley CC, Mr. P. Bedford CC,
Mr. D. C. Bill MBE CC, Mr. G. A. Boulter CC, Mr. S. L. Bray CC,
Mr. L. Breckon JP CC, Mr. B. Champion CC, Mr. N. Chapman CC,
Mr. M. H. Charlesworth CC, Mr. J. G. Coxon CC, Mr. M. Frisby CC,
Mrs. H. J. Fryer CC, Mr. S. J. Galton CC, Mr. D. A. Gamble CC,
Mr. K. Ghattoraya CC, Mr. T. Gillard CC, Mr. D. J. Grimley CC, Mrs. A. J. Hack CC,
Mr. B. Harrison-Rushton CC, Mr. D. Harrison CC, Mr. R. Hills CC, Mr. M. Hunt CC,
Mr. P. King CC, Mr. B. Lovegrove CC, Mr. K. Merrie MBE CC, Mr. J. Miah CC,
Mr. J. Morgan CC, Mr. M. T. Mullaney CC, Ms. Betty Newton CC,
Mr. O. O'Shea JP CC, Mr. J. T. Orson CC, Mrs. R. Page CC, Mr. B. L. Pain CC,
Mr T. Parton CC, Mr. T. J. Pendleton CC, Mr. L. Phillimore CC, Mr J. Poland CC,
Mrs. P. Posnett MBE CC, Mrs. C. M. Radford CC, Mr. T. J. Richardson CC,
Mrs H. L. Richardson CC, Mr. N. J. Rushton CC, Mrs B. Seaton CC,
Mr. R. J. Shepherd CC, Mr. C. A. Smith CC, Mrs D. Taylor CC and Mrs. M. Wright CC

35. CHAIRMAN'S ANNOUNCEMENTS.

Sustainable Food Places Silver Award

The Chairman welcomed the news that the Good Food Leicestershire initiative had won a Sustainable Food Places Silver Award.

The initiative worked with cross-sector partners to tackle issues from reducing food poverty to diet related ill-health. It supported people, communities and businesses across Leicestershire to access healthy, nutritious food and over 50 projects and organisations, from farms to restaurants, were mentioned in the nomination.

Leicestershire County Council was the first Authority in the Midlands to receive silver food status, which was given to organisations for having a long-term food plan in place and who made significant positive change on a range of key food issues.

Members joined the Chairman in congratulating everyone involved in the initiative.

36. REPORT OF THE RETURNING OFFICER.

The Chief Executive presented the report of the Returning Officer on the election of the County Councillor for the Blaby and Glen Parva Electoral Division on 21 December 2023.

The Chairman welcomed Mrs Susan Patricia Jordan CC to the Council.

37. MINUTES.

It was moved by the Chairman, seconded by Mr Orson and carried:

“That the minutes of the meeting of the Council held on 6 December 2023, copies of which have been circulated to members, be taken as read, confirmed and signed.”

38. DECLARATIONS OF INTEREST.

The Chairman invited members who wished to do so to make declarations of interest in respect of items on the agenda for the meeting.

All members who were members of District Councils declared a registrable interest in relation to the Medium Term Financial Strategy.

Mr Pain CC declared a non-registrable interest in the MTFS in relation to passenger transport issues as his family operated a taxi business.

Mr Phillimore CC declared a non-registrable interest in the MTFS in relation to Special Educational Needs and Disabilities (SEND) issues due to his wife’s employment.

Mrs Hack CC declared a registrable interest in the MTFS as she worked for Advance Housing and Support, which provided services to the County Council.

39. QUESTIONS ASKED UNDER STANDING ORDER 7(1)(2) AND (5).

The Chairman reported that he had not received any questions.

40. POSITION STATEMENTS UNDER STANDING ORDER 8.

The Leader gave a position statement on the following matters:

- Ratby/Kirby Muxloe Gas Outage;
- Flooding/Storm Update;
- Devolution;
- Members of Parliament;
- Biodiversity Net Gain.

A copy of the Position Statement is filed with these minutes.

41. REPORT OF THE CABINET.

(a) Medium Term Financial Strategy 2024/25 - 2027/28.

It was moved by Mr Breckon and seconded by Mr Shepherd:

“(a) That subject to the items below, approval be given to the Medium Term Financial Strategy (MTFS) which incorporates the recommended revenue budget for 2024/25 totalling £567.6m as set out in Appendices

A, B and E of the report and includes the growth and savings for that year as set out in Appendix C;

- (b) That approval be given to the projected provisional revenue budgets for 2025/26, 2026/27 and 2027/28, set out in Appendix B to the report, including the growth and savings for those years as set out in Appendix C, allowing the undertaking of preliminary work, including business case development, engagement and equality and human rights impact assessments, as may be necessary to achieve the savings specified for those years including savings under development, set out in Appendix D;
- (c) That approval be given to the early achievement of savings that are included in the MTFS, as may be necessary, along with associated investment costs, subject to the Director of Corporate Resources agreeing to funding being available;
- (d) That the level of the general fund and earmarked reserves as set out in Appendix K be noted and the use of those earmarked reserves as indicated in that appendix be approved;
- (e) That the amounts of the County Council's Council Tax for each band of dwelling and the precept payable by each billing authority for 2024/25 be as set out in Appendix M (including 2% for the adult social care precept);
- (f) That the Chief Executive be authorised to issue the necessary precepts to billing authorities in accordance with the budget requirement above and the tax base notified by the District Councils, and to take any other action which may be necessary to give effect to the precepts;
- (g) That approval be given to the 2024/25 to 2027/28 capital programme, totalling £447m, as set out in Appendix F;
- (h) That the Director of Corporate Resources, following consultation with the Lead Member for Resources, be authorised to approve new capital schemes, including revenue costs associated with their delivery, shown as future developments in the capital programme, to be funded from funding available;
- (i) That the financial indicators required under the Prudential Code included in Appendix N, Annex 2 be noted and that the following limits be approved:

	2024/25 £m	2025/26 £m	2026/27 £m	2027/28 £m
Operational boundary for external debt				
i) Borrowing	220	219	243	273
ii) Other long term liabilities	1	1	1	1
TOTAL	221	220	244	274
Authorised limit for external debt				
i) Borrowing	230	229	253	283
ii) Other long term liabilities	1	1	1	1
TOTAL	231	230	254	284

- (j) That the Director of Corporate Resources be authorised to effect movement within the authorised limit for external debt between borrowing and other long-term liabilities;
- (k) That the following borrowing limits be approved for the period 2024/25 to 2027/28:

- (i) Maturity of borrowing:-

	<u>Upper Limit</u>	<u>Lower Limit</u>
	%	%
Under 12 months	30	0
12 months and within 24 months	30	0
24 months and within 5 years	50	0
5 years and within 10 years	70	0
10 years and above	100	25

- (ii) An upper limit for principal sums invested for periods longer than 364 days is 20% of the portfolio.
- (l) That the Director of Corporate Resources be authorised to enter into such loans or undertake such arrangements as necessary to finance capital payments in 2024/25, subject to the prudential limits in Appendix N;
- (m) That the Treasury Management Strategy Statement and the Annual Investment Strategy for 2024/25, as set out in Appendix N, be approved including:
- (i) The Treasury Management Policy Statement, Appendix N; Annex 4;
- (ii) The Annual Statement of the Annual Minimum Revenue Provision as set out in Appendix N, Annex 1;

- (n) That the Capital Strategy (Appendix G), Investing in Leicestershire Programme Strategy (Appendix H), Risk Management Policy and Strategy (Appendix I), Earmarked Reserves Policy (Appendix J) and Insurance Policy (Appendix L) be approved;
- (o) That it be noted that the Leicester and Leicestershire Business Rate Pool will continue for 2024/25;
- (p) That the Director of Corporate Resources, following consultation with the Lead Member for Resources, be authorised to make any changes to the provisional MTFS which may be required as a result of changes arising between the Cabinet and County Council meetings, noting that any changes will be reported to the County Council on 21 February 2024;
- (q) That the Leicestershire School Funding Formula be subject to capping and scaling to continue to reflect the National Funding Formula for 2024/25;
- (r) That the Director of Children and Family Services, following consultation with the Lead Member for Children and Family Services, be authorised to agree the funding rates for early years providers for 2024/25;
- (s) That in light of the Council's financial position, the proposal to revise the Council's net zero targets for its own operations, from 2030 to 2035, and for the wider County, from 2045 to 2050, be approved;
- (t) That the proposed changes to the Recycling and Household Waste Site service as outlined at paragraph 37 of the report be noted, to be funded from the Service Investment budget, and subject to the outcome of further consultation."

An amendment was moved by Mr Mullaney and seconded by Mr Bray:

- (i) That paragraph (a) of the motion be amended to read as follow
- “(a) That subject to the items below, approval be given to the MTFS which incorporates the recommended revenue budget for 2024/25 totalling £567.6m as set out in Appendices A, B, and E of the report and includes growth and savings for that year as set out in Appendix C, as amended by paragraph (a) (i) below;”
- (ii) That the following be added after paragraph (a) of the motion:
- “(a)(i) That the list of growth and savings proposals as set out in Appendix C of the report be amended as follows:

	2024/25	2025/26	2026/27	2027/28
	£000s	£000s	£000s	£000s
Add new savings items as follows:				

Cease publication of Leicestershire Matters	-108	-108	-108	-108
Reduce Members' Allowances budget by the removal of a Cabinet Member	-22	-22	-22	-22
Amend new growth item as follows:				
Additional investment in public bus subsidies	130	130	130	130

(iii) That paragraph (b) of the motion be amended to read as follows:

“(b) That approval be given to the projected provisional revenue budgets for 2025/26, 2026/27 and 2027/28, set out in Appendix B to the report, including the growth and savings for those years as set out in Appendix C, as now amended, allowing the undertaking of preliminary work, including business case development, engagement and equality and human rights impact assessments, as may be necessary to achieve the savings specified for those years including savings under development, set out in Appendix D;”

The Chairman indicated that a named vote would be recorded, as required by Government Regulations.

The vote was recorded as follows:

For the Amendment:

Mr Bill, Mr Boulter, Mr Bray, Mr Charlesworth, Mr Galton, Mr Gamble, Mrs Hack, Mr Hunt, Mrs Jordan, Mr Miah, Mr Mullaney, Ms Newton

Against the Amendment:

Mr Allen, Mr Ashman, Mr Barkley, Mr Bedford, Mr Breckon, Mr Champion, Mr Chapman, Mr Coxon, Dr Feltham, Mr Frisby, Mrs Fryer, Mr Ghattoraya, Mr Gillard, Mr Grimley, Mr Harrison, Mr Harrison-Rushton, Mr Hills, Mr King, Mr Lovegrove, Mr Merrie, Mr Morgan, Mr O'Shea, Mr Orson, Mrs Page, Mr Pain, Mr Parton, Mr Pendleton, Mr Phillimore, Mr Poland, Mrs Posnett, Mrs Radford, Mr Richardson, Mrs Richardson, Mr Rushton, Mrs Seaton, Mr Shepherd, Mr Smith, Mrs Taylor, Mrs M Wright

The amendment was not carried, 12 members voting for the amendment and 39 against.

An amendment was moved by Mr Galton and seconded by Mrs Jordan:

(i) That paragraph (a) of the motion be amended to read as follows:

“(a) That subject to the items below, approval be given to the MTFS which incorporates the recommended revenue budget for 2024/25 totalling £567.6m as set out in Appendices A, B, and E of the report and includes growth and savings for that year as set out in Appendix C, as amended by paragraph (a) (i) below;”

(ii) That the following be added after paragraph (a) of the motion:

“(a)(i) That the list of growth and savings proposals as set out in Appendix C of the report be amended as follows:

	2024/25 £000s	2025/26 £000s	2026/27 £000s	2027/28 £000s
Add new savings items as follows:				
Reduce Members' Allowances budget by the removal of the four Cabinet Support Members	-33	-33	-33	-33
Reduce support to the Cabinet	-55	-55	-55	-55
Add new growth item as follows:				
Revenue costs associated with a new Capital Programme allocation of £1.5m p.a. for additional drainage schemes	88	88	88	88

(iii) That paragraph (b) of the motion be amended to read as follows:

“(b) That approval be given to the projected provisional revenue budgets for 2025/26, 2026/27 and 2027/28, set out in Appendix B to the report, including the growth and savings for those years as set out in Appendix C, as now amended, allowing the undertaking of preliminary work, including business case development, engagement and equality and human rights impact assessments, as may be necessary to achieve the savings specified for those years including savings under development, set out in Appendix D;”

(iv) That paragraph (g) of the motion be amended to read as follows:

“(g) That approval be given to the 2024/25 to 2027/28 capital programme, as now amended, totalling £453m, as set out in Appendix F;”

The Chairman indicated that a named vote would be recorded, as required by Government Regulations.

The vote was recorded as follows:

For the Amendment:

Mr Bill, Mr Boulter, Mr Bray, Mr Charlesworth, Mr Galton, Mr Gamble, Mrs Jordan, Mr Mullaney

Against the Amendment:

Mr Allen, Mr Ashman, Mr Barkley, Mr Bedford, Mr Breckon, Mr Champion, Mr Chapman, Mr Coxon, Dr Feltham, Mr Frisby, Mrs Fryer, Mr Ghattoraya, Mr Gillard, Mr Grimley, Mr Harrison, Mr Harrison-Rushton, Mr Hills, Mr King, Mr Lovegrove, Mr Merrie, Mr Morgan, Mr O’Shea, Mr Orson, Mrs Page, Mr Pain, Mr Parton, Mr Pendleton, Mr Phillimore, Mr Poland, Mrs Posnett, Mrs Radford, Mr Richardson, Mrs Richardson, Mr Rushton, Mrs Seaton, Mr Shepherd, Mr Smith, Mrs Taylor, Mrs M Wright

The amendment was not carried, 8 members voting for the amendment and 39 against.

On the original motion being put, the Chairman indicated that a named vote would be recorded, as required by Government Regulations.

The vote was recorded as follows:

For the Motion:

Mr Allen, Mr Ashman, Mr Barkley, Mr Bedford, Mr Breckon, Mr Champion, Mr Chapman, Mr Coxon, Dr Feltham, Mr Frisby, Mrs Fryer, Mr Ghattoraya, Mr Gillard, Mr Grimley, Mr Harrison, Mr Harrison-Rushton, Mr Hills, Mr King, Mr Lovegrove, Mr Merrie, Mr Morgan, Mr O’Shea, Mr Orson, Mrs Page, Mr Pain,

Mr Parton, Mr Pendleton, Mr Phillimore, Mr Poland, Mrs Posnett, Mrs Radford, Mr Richardson, Mrs Richardson, Mr Rushton, Mrs Seaton, Mr Shepherd, Mr Smith, Mrs Taylor, Mrs M Wright

Against the Motion:

Mr Bill, Mr Boulter, Mr Bray, Mr Charlesworth, Mr Galton, Mr Gamble, Mrs Hack, Mr Hunt, Mrs Jordan, Mr Miah, Mr Mullaney, Ms Newton

The motion was put and carried, 39 members voting for the motion and 12 members against.

42. REPORT OF THE CORPORATE GOVERNANCE COMMITTEE.

(a) Proposed Changes to the Contract Procedure Rules.

It was moved by Mr Barkley, seconded by Richardson and carried unanimously:

“That the proposed amendments to the Contract Procedure Rules, set out in Appendix A to the report of the Corporate Governance Committee, be approved.”

43. TO CONSIDER THE FOLLOWING NOTICE OF MOTION:

(a) Support for Care Experienced People.

It was moved by Mrs Taylor, seconded by Mr Smith and carried unanimously:

“(i) This Council notes that:

- (a) Care experienced people face significant barriers that impact them throughout their lives;
- (b) Despite the resilience of many care experienced people, society too often does not take their needs into account;
- (c) Care experienced people often face discrimination and stigma across housing, health, education, relationships, employment and in the criminal justice system;
- (d) Care experienced people may encounter inconsistent support in different geographical areas;
- (e) As corporate parents, members have a collective responsibility for providing the best possible care and safeguarding for the children who are looked after by us as an authority;
- (f) All corporate parents should commit to acting as mentors, hearing the voices of looked after children and young people and to consider their needs in any aspect of council work;

- (g) Members should be champions of the children in our care and challenge the negative attitudes and prejudice that exists in all aspects of society;
- (h) The Public Sector Equality Duty requires public bodies, such as councils, to have due regard of the need to eliminate unlawful discrimination, harassment, and victimisation of people with protected characteristics.

(ii) This Council therefore resolves that:

- (a) It recognises that care experienced people are a group who are likely to face discrimination;
- (b) It recognises that co-production and collaboration can help ensure that the needs and aspirations of all people are at the heart of decision making;
- (c) Future decision, services and policies made and adopted by the Council should be assessed through Equality Impact Assessments to determine the impact of changes on people with care experience, alongside those who formally share a protected characteristic;
- (d) In the delivery of the Public Sector Equality Duty the Council will work towards including people with care experience in the publication and review of Equality Objectives and the annual publication of information relating to people who share a protected characteristic in services and employment;
- (e) This Council will treat care experience as if it were a protected characteristic whilst recognising that the needs of people with legally defined protected characteristics will need to take precedence if there is a conflict;
- (f) This Council formally calls upon other local authorities within Leicestershire to treat care experience as a protected characteristic until such time as it may be introduced by legislation;
- (g) To continue proactively seeking out and listening to the voices of care experienced people when developing new policies based on their views.”

COUNTY COUNCIL MEETING – 21ST FEBRUARY 2024

POSITION STATEMENT FROM THE LEADER OF THE COUNCIL

Ratby/Kirby Muxloe Gas Outage

I want to place on record my thanks to the local communities, their representatives, Cadent (the gas distribution company) and the Local Resilience Forum for their quick response after the recent gas outage, caused by a burst water pipe, which affected 3,500 homes in Ratby and Kirby Muxloe and left some people without heating for nearly a week.

The response locally has been exemplary. Our local councils, Cadent and voluntary groups – including Leicestershire Search and Rescue and British Red Cross - and our residents have gone the extra mile to look after their communities, including by supporting vulnerable people, providing hot food and giving out heaters and blankets.

I will give special mention to Jane Moore, Director of Children and Family Services, who chaired the Tactical Co-ordinating Group overseeing the Local Resilience Forum response to the incident. She had a number of difficult decisions to make, all of which she handled in a calm and professional manner, whilst still carrying out her important day job. I'm sure members will agree with me that Jane did an excellent job, for which we are all grateful.

At the Cabinet meeting on 9 February we asked the Local Resilience Forum to calculate the cost to the public purse so that costs can be recovered from those responsible. We have also written to Severn Trent to ask for an explanation of the cause of the incident and the apparent delayed response to the first burst water pipe.

Flooding/Storm Update

The Local Resilience Forum also took a central role in supporting the response and recovery phases of Storm Henk.

Storm Henk resulted in the River Soar and many tributaries reaching record levels (worse than the Easter 1998 flooding). In Leicestershire alone, around 535 residential and commercial properties have been reported to date as having suffered internal flooding.

Our Highways team worked around the clock to support the emergency services and communities and to manage the road network with up to 70 roads closed. They are now continuing to clear gullies impacted by floodwater and work through the significant backlog of drainage enquiries.

It is not yet known how many formal flooding investigations have been triggered; this could take several weeks to establish as more information is received. These investigations can be very resource intensive and time consuming and require all responsible agencies to be involved.

This may then result in further actions or future project work to try and address the flooding. Given the unprecedented number of investigations that are likely to be needed, and potential work in bidding for funding to deliver works, I am pleased to say I have been able to allocate an extra £400,000 to help the Council tackle flooding over the new MTFS period.

It is also likely, however, that in some instances there may not be a realistic or affordable solution for flood prevention.

With changing climate meaning more rainfall and greater intensity when it rains, there is a greater need to move communities towards resilience via property protection and community action. The County Council is committed to support our communities in this.

Devolution

I said that I would keep the Council updated on devolution. Since our last meeting we have heard from the Devolution Minister in DLUHC, Jacob Young, that the Government is very keen on a level 2 deal for Leicester, Leicestershire and Rutland and would like to include that in the Chancellor's Budget Statement next month. Members may recall that reference to the Lancashire level 2 deal was made by the Chancellor in his Autumn Statement last year. The Minister will be meeting me, the City Mayor and the Leader of Rutland next week.

Members of Parliament

The Cabinet has continued to work with the Conservative Members of Parliament for Leicestershire to ensure that the County Council's case for fair funding continues to be pressed on the Government. There is now inevitably a recognition across the board that a proper solution will have to await the next parliament but in the meantime we have been able to make some progress. The Government agreed some additional funding for 2024/25 last month, which is reported in the papers for today's meeting. That followed some direct lobbying of the Government and I was grateful in particular to Alberto Costa MP and Neil O'Brien MP for putting their names to a letter to the Secretary of State.

Biodiversity Net Gain

The Environment Act 2021 introduced mandatory Biodiversity Net Gain (known as "BNG") as a new requirement to be delivered through the planning system. The legislation requires the delivery of a 10% increase in biodiversity above the pre-development status of a site and this will be secured through the planning system. Mandatory BNG commenced on 12th February 2024 for major applications and will apply to smaller sites from 2nd April 2024.

This new requirement will affect planning applications that the County Council deals with in its statutory role as the minerals and waste planning authority and will apply to the County Council's own developments, such as schools and roads.

Mr N. J. Rushton
Leader of the Council

REPORT OF THE CABINET**A. DATES OF COUNCIL MEETINGS 2024/25 and 2025/26****Introduction**

1. This report concerns the proposed dates for Council meetings in 2024/25 and 2025/26.

Background

2. Standing Order 1(2) requires that in addition to the Annual Meeting of the Council and any meetings convened by the Chairman or members of the Council, meetings of the Council for the transaction of general business shall be held on such days as may be determined by the Council at its Annual Meeting on the recommendation of the Cabinet. A date so determined may be varied by the Cabinet. Dates for the 2025/26 municipal year have been included in order to provide members with advance notice of future meetings.
3. The recommendation of the Cabinet on this matter is set out in the motion which appears below:

(Motion to be moved:

That Council meetings in 2024/25 and 2025/26 be held on the following dates:

- **Wednesday 3 July 2024**
- **Wednesday 25 September 2024**
- **Wednesday 4 December 2024**
- **Wednesday 19 February 2025 (to consider the budget)**
- **Wednesday 14 May 2025 (Annual Meeting)**
- **Wednesday 2 July 2025**
- **Wednesday 24 September 2025**
- **Wednesday 3 December 2025**
- **Wednesday 18 February 2026 (to consider the budget)**
- **Wednesday 13 May 2026 (Annual Meeting).)**

26 March 2024

Mr N. J. Rushton
Leader of the Council

Background Papers

Report to the Cabinet, 26 March 2024 – Dates of Council meetings.

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=7504&Ver=4>

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REPORT OF THE CONSTITUTION COMMITTEE

A. REPORT OF THE INDEPENDENT REMUNERATION PANEL ON MEMBERS' ALLOWANCES

Introduction

1. This report presents the report of the Independent Remuneration Panel on Members' Allowances.

Background

2. The statutory framework for members' allowances includes the following requirements:
 - Each local authority is required to establish and maintain an Independent Remuneration Panel with the function of providing the local authority with advice on its scheme and the amounts to be paid. Local authorities must have regard to this advice.
 - Local authorities must, before the beginning of each year, make a scheme for the payment of a basic allowance for the year. The basic allowance must be payable to all members.
 - The scheme may include provision for the payment of special responsibility allowances, travel and subsistence allowances, a dependants' carers' allowance, and co-optees' allowance.
 - The approval of a members' allowances scheme has to be determined by the full Council and cannot be delegated to the Cabinet or a committee.
 - A scheme for members' allowances may be amended at any time but may only be revoked at the end of the year, i.e. 31 March. A further scheme must be available to replace the revoked scheme.
3. The Independent Remuneration Panel has recently met and its recommendations are set out in the report which is attached as an Appendix.

Resource Implications

4. The Director of Corporate Resources has been consulted on this report.

Equality Implications

5. The Scheme incorporates a Carers and Dependants Carers' Allowance.

Human Rights Implications

6. None.

Consideration by the Constitution Committee

7. The Constitution Committee considered this matter at its meeting on 30 April and decided to recommend that the Council approve the recommendations of the Independent Remuneration Panel unamended. The details are set out in the motion which appears below.

(Motion to be moved: -

- (a) That the Basic and Special Responsibility Allowances be increased by the equivalent percentage increase awarded to Spinal Column Point 43 of Grade 15, for the period 1st April 2024 to 31st March 2025. The increase be implemented as soon as practicable after the employee pay award is agreed and be back dated to 1st April;**
- (b) That the arrangement for indexation of Basic and Special Responsibility Allowances continue until 31st March 2028 based upon the equivalent percentage increase on SCP 43, Grade 15, of the County Council's pay spine. The increase will be implemented when the employee pay award is agreed for each year and backdated to 1st April of that year;**
- (c) That the current levels of Travel and Subsistence allowances remain unchanged;**
- (d) That those Members who submitted an Annual Report be thanked for doing so;**
- (e) That the submission of Annual Reports continues for the next four years;**
- (f) That those Members who did not submit a report in 2022/23 submit one for the municipal year 2023/24.)**

30 April 2024

Mr N J Rushton CC
Chairman

Background Papers

Leicestershire County Council Constitution – Part 6 – Members’ Allowances Scheme

<https://democracy.leics.gov.uk/documents/s180355/Part6%20Members%20Allowance%20Scheme.pdf>

Report of the Chief Executive to the Constitution Committee meeting on 30 April 2024 – Report of the Independent Remuneration Panel on Members’ Allowances

<https://democracy.leics.gov.uk/documents/s182288/Constitution%20Committee.pdf>

Appendix

Appendix – Report of Independent Remuneration Panel on Members’ Allowances

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**REPORT OF THE
INDEPENDENT
REMUNERATION PANEL ON
MEMBERS' ALLOWANCES**

MARCH 2024

Introduction

1. This report sets out the recommendations of the Independent Remuneration Panel appointed by Leicestershire County Council to review its current Members' Allowances Scheme. The Panel was constituted under the Local Authorities (Members' Allowances) (England) Regulations 2003.
2. The Regulations require all local authorities to set up and maintain an advisory Independent Remuneration Panel to review and provide advice about the allowances paid to Members. All Councils are required to seek the advice of the Panel before making changes to their allowances scheme and must 'pay regard' to the Panel's recommendations.

Membership of the Panel

3. Leicestershire County Council's Independent Remuneration Panel comprises the following:-
 - Michael Pearson – (Chairman) – Former Bursar and Finance Director of Loughborough University.
 - Jayne Kelly – Former Solicitor working with various local authorities.
 - Gordon Grimes – Former HM Revenue and Customs Area Manager.

Support to the Panel

4. The Panel was supported by the Head of Member Services and the Head of Democratic Services who provided advice and background information to support the Panel's deliberations.

Scope of the Review

5. The Panel last met in March 2023 when it recommended that Basic and Special Responsibility Allowances increase by 3.88% for the period 1st April 2023 to 31st March 2024 i.e. one year only.

6. The Panel was therefore re-convened to:-
- i) Review the annual increase to Basic and Special Responsibility Allowances for the financial year 2024/25 and beyond.
 - ii) Review the Travel and Subsistence Rates.
 - iii) Review Member Annual Reports.

Recommendations of the Panel

A. Review of Annual Increase to Basic and Special Responsibility Allowances

7. The Panel met to review the indexation of Basic and Special Responsibility Allowances in accordance with Part 3 – of the Regulations, 10 (4 and 5), which are set out below.
- A scheme may make provision for an annual adjustment of allowances by reference to such index as may be specified by the authority and where the only change made to a scheme in any year is that effected by such annual adjustment in accordance with such index the scheme shall be deemed not to have been amended.
 - Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the independent remuneration panel established in respect of that authority on the application of an index to its scheme.
8. The Panel in 2023 agreed, as stated in paragraph 5, to recommend an increase of 3.88 % to the Basic and Special Responsibility Allowances for one year only i.e. the financial year 2024/25. That increase was linked to the Local Government Employers offer for those pay points above the top of the national pay spine but graded below deputy chief officer. For the County Council this is Grades 14 to 17.

9. In considering future indexation the Panel was conscious of the County Councils' financial position and was therefore concerned about affordability. However, the Panel recognised that it had to be fair to Members as well as the taxpayers of Leicestershire when making its recommendation and concluded that the Basic and Special Responsibility Allowances should indeed be increased from 1st April 2024.
10. The Panel considered a number of options including linkage to the Employee Pay Award, Consumer Price Index and Average Earnings Indicator. The Panel felt that the most appropriate indexation mechanism to be the Employee Pay Award.
11. In deciding to link the increase to the Employee Pay Award the Panel noted that the employers had not made an offer in relation to the 2024/25. However, they were aware that the previous two pay awards i.e. 2022/23 and 2023/24 had included a fixed amount element.
12. The Panel observed that the Association of Local Authority Chief Executives and Senior Managers had recently submitted their pay claim by linking to the percentage increase for the top point of the national pay spine. Unison, GMB and Unite unions, who negotiate on behalf of the majority of local government employees, had also submitted a claim which was for £3,000 or 10% whichever is higher.
13. The Panel was therefore mindful that the 2024/25 offer may include a fixed element again and concluded that it wished to recommend that the indexation of the Basic and Special Responsibility Allowances be linked to the equivalent percentage increase awarded to those on the County Council's Grade 15 and in particular spinal column point 43.
14. The Panel was also minded to recommend that the Basic and Special Responsibility Allowances continue to be index linked to the equivalent percentage increase awarded to SCP 43, Grade 15, up to 31st March 2028.
15. The Panel concluded by recommending that any increase be implemented as soon as practicable after the employee pay award had been agreed and that it be back dated to 1st April of that year.

The Panel recommends to Council that:-

Basic and Special Responsibility Allowances be increased by the equivalent percentage increase awarded to Spinal Column Point 43 of Grade 15, for the period 1st April 2024 to 31st March 2025. The increase be implemented as soon as practicable after the employee pay award is agreed and be back dated to 1st April.

That the arrangement for indexation of Basic and Special Responsibility Allowances continue until 31st March 2028 based upon the equivalent percentage increase on SCP 43, Grade 15, of the County Council's pay spine. The increase will be implemented when the employee pay award is agreed for each year and backdated to 1st April of that year.

B. Travel and Subsistence

16. The Panel reviewed the Travel and Subsistence allowances and concluded no changes to the scheme were necessary.
17. The Panel noted that for the financial year 2022/23 that the amount of mileage that had been claimed was minimal and that Members were not submitting claims in relation to subsistence.

The Panel recommends to Council that:-

The current levels of Travel and Subsistence allowances remain unchanged.

C. Member Annual Reports and Accountability

18. In 2017 when making its report to the County Council, the Panel, as it had in previous reports, recommended that Members should provide a public account of their work during the municipal year by way of an Annual Report. In addition, the Panel also recommended that Group Leaders and Whips be responsible for ensuring that all Members of their Groups complete and submit an Annual Report. The County Council endorsed this recommendation at its Full County Council meeting in December 2017.

19. In June 2023 the Head of Member Services wrote to all Members, asking them to submit their Annual Report for the municipal year 2022/23.
20. At the same time as Members were asked to submit their Annual Report, the Head of Member Services also wrote to Group Leaders and Group Whips to remind them of the Council's recommendation that it was their responsibility to ensure that all Members of their Group completed a report.
21. A total of fifty-one Members produced an annual report all of which have been published on the County Council's website and can be accessed via the following:-

from the Member's individual page see link
<http://politics.leics.gov.uk/mgMemberIndex.aspx?bcr=1> and/or

a dedicated page for Member Reports see link
<http://politics.leics.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13200>
22. The Panel was very pleased with the number of annual reports returned and recognised the hard work of Members in producing a report. The Panel, therefore, wished to put on record its gratitude and thanks to all those Members who took the time to write and submit a report.
23. The Panel noted that the calibre and quality of reports had once again improved and they were providing, in their view, constituents with a greater understanding of the work of Members and the County Council. The Panel was particularly and equally impressed with those Members who included photographs in their reports using either the County Council provided template or their own template
24. However, the Panel observed that there were a small number of reports which contained very little content which, in the Panel's view, probably did not provide a fair reflection of the Member's activity during the year.

Recommendations

The Panel recommends to Council that:-

Those Members who submitted an Annual Report be thanked for doing so.

That the submission of Annual Reports continues for the next four years.

That those Members who did not submit a report in 2022/23 submit one for the municipal year 2023/24

Summary of Recommendations

The Panel recommends to Council that:-

- i. Basic and Special Responsibility Allowances be increased by the equivalent percentage increase awarded to Spinal Column Point 43 of Grade 15, for the period 1st April 2024 to 31st March 2025. The increase be implemented as soon as practicable after the employee pay award is agreed and be back dated to 1st April.**
- ii. That the arrangement for indexation of Basic and Special Responsibility Allowances continue until 31st March 2028 based upon the equivalent percentage increase on SCP 43, Grade 15, of the County Council's pay spine. The increase will be implemented when the employee pay award is agreed for each year and backdated to 1st April of that year.**
- iii. The current levels of Travel and Subsistence allowances remain unchanged.**
- iv. Those Members who submitted an Annual Report be thanked for doing so.**
- v. That the submission of Annual Reports continues for the next four years.**

- vi. That those Members who did not submit a report in 2022/23 submit one for the municipal year 2023/24**