

CONSTITUTION COMMITTEE – 1 SEPTEMBER 2003

REPORT OF THE CHIEF EXECUTIVE

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

Purpose

1. The purpose of this report is to enable the Committee to consider the report of the Independent Panel on Members' Allowances and to invite the Committee to make recommendations to the County Council on proposals for a new scheme of allowances in the light of the contents of that report.

A copy of the Panel's report is currently being finalised and will be circulated to Members as soon as possible.

Background

2. In May 2003 The Local Authorities (Members' Allowances) England Regulations 2003 came into force which provided for new schemes of allowances to be established and put in place by 31 December, 2003 (originally 30 September, 2003).
3. The Regulations made no significant changes relating to the payment of basic and special responsibility allowances. They made a number of changes to other aspects of the system of allowances, as follows:-
 - (a) Local Authorities must now determine their own travel and subsistence allowances having regard to the recommendation of their Independent Remuneration Panels, without the Secretary of State being involved in setting maximum levels;
 - (b) Bodies such as Combined Fire Authorities are required to establish their own schemes of allowances rather than members being paid by their constituent authorities;
 - (c) Councils are able to pay co-opted and appointed members of principal councils a "co-optees' allowance" to be determined by the local authority, having taken into account the recommendations of their Independent Remuneration Panel;
 - (d) Authorities are able to make provision for the withdrawal of allowances where a member has been wholly or partially suspended because of an alleged breach of the Code of Conduct;
 - (e) The Council's local Independent Remuneration Panel is required to make recommendations on which councillors are to be eligible for access to the Local Government Pension Scheme. (The Council is able to make membership of the pension scheme available to those members who are recommended for membership by the Independent

Remuneration Panel but the Council can decide not to offer membership to some or all of the recommended members).

4. The Panel was originally appointed by the County Council in 2001 to review its scheme of members' allowances in the light of regulations and guidance issued by Government under the Local Government Act 2000 and in particular:-
 - (a) to make recommendations to the Authority on the amount of the basic allowance that should be paid to elected members;
 - (b) to make recommendations to the Authority about the roles and responsibilities for which a special responsibility allowance should be payable and the amount of each such allowance;
 - (c) to make recommendations as to whether the Authority's scheme should include an allowance in respect of expenses of arranging for the care of children and dependants and, if so, the amount and means by which it is determined.
5. Since then the Panel has been required to keep the scheme under review on an annual basis. More recently the Panel has been called together to undertake a review of the County Council's Members' Allowances Scheme in light of the 2003 Regulations which, as indicated above, require a new scheme to be in place by 31 December 2003.

Resources Implications

6. The Director of Resources has been consulted on this report and his comments will be reported to the meeting.

Equal Opportunities Implications

7. The scheme of allowances incorporates a Carers and Dependants Carers' Allowance.

Recommendation

8. The Committee is asked to determine what recommendations it wishes to put forward to the County Council in response to the report of the Independent Remuneration Panel on Members' Allowances.

Background Papers

None

Circulation Under Sensitive Issues Procedure

None.

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