

Arun District Council

REPORT TO:	Audit & Governance Committee – 28 February 2023
SUBJECT:	Members' Allowances – Extension of Appointments for the Independent Remuneration Panel
LEAD OFFICER:	Daniel Bainbridge – Group Head of Law & Governance and Monitoring Officer
LEAD MEMBER:	Councillor Mike Clayden
WARDS:	All
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION: The Local Authorities (Members Allowances) Regulations 2003 Section 20 requires any District Council to have an Independent Remuneration Panel properly appointed before it can undertake any review of that authority's Members' Allowances Scheme.	
DIRECTORATE POLICY CONTEXT: The Chief Executive has responsibility to ensure that the Council's Independent Remuneration Panel is legally appointed.	
FINANCIAL SUMMARY: No financial implications are identified.	

1. PURPOSE OF REPORT

- 1.1 The Committee has responsibility for reviewing Councillor Allowances based on reports received from the Council's Independent Remuneration Panel created under the Local Authorities (Members Allowances) Regulations 2003.
- 1.2 This report seeks the Committee's approval to extend the existing appointments of all five members of the Independent Remuneration Panel which expire on 31 March 2023 to allow the Panel to commence work on undertaking its next review of the Members' Allowances Scheme following the District Elections to be held in May 2023.
- 1.3 These extensions are required to also allow the Panel to consider the Allowances Scheme for Parish and Town Councillors. The Panel will be undertaking a separate review once the District Council review has been concluded.

2. RECOMMENDATIONS

It is recommended that the Committee:

- 2.1. Agrees to extend the terms of office for all five members of the Independent Remuneration Panel until 31 March 2024; and
- 2.2. Recommends to the Constitution Working Party that it considers recommending to Full Council that an additional delegation be granted to the Chief Executive (regarding appointments to the Independent Remuneration Panel) as per the proposed wording set out at Paragraph 4.5 of the report.

3. EXECUTIVE SUMMARY

- 3.1. This report seeks the Committee's approval to extend the terms of office for all five members of the Independent Remuneration Panel until 31 March 2024.

4. DETAIL

- 4.1. The Audit & Governance Committee's specific functions as set out in Part 3 of the Council's Constitution [Responsibility for Functions] states that the Committee shall also exercise the following specific functions by or on behalf of the Council:

- Approving arrangements for establishing an Independent Remuneration Panel, in accordance with statutory requirements, and instructing the Chief Executive to make any appointments to the Panel in line with their delegated authority at Part 3, Section 2 of this Constitution.
- Overseeing the work of the Independent Remuneration Panel in its periodic consideration of Members Allowances.
- Reviewing and considering the Member Allowances Scheme based on reports from the Independent Remuneration Panel and making recommendations to the Full Council as required.

- 4.2 By asking the Committee to approve extending the appointments now, the terms of office for the Independent Remuneration Panel can be extended immediately from 31 March 2023 to 31 March 2024. This approval is required now as this is the last meeting of this Committee in this Municipal Year. The next meeting of this Committee is not scheduled until the end of July 2023, which will be too late to begin the review process.

- 4.3 The Monitoring Officer had identified a gap in the Constitution in that "Part 3, Section 2" referred to in the first bullet point of 4.1 above, does not appear within the Constitution. This appears to be a referencing error, and the Chief Executive's delegations at Part 4 of the Constitution should contain this delegation but currently does not. However, it is clear that the intention of Full Council was for this matter to be delegated to the Chief Executive.

- 4.5 To correct this, the Committee is requested to recommend to the next meeting of the Constitution Working Party:

"After consultation with and agreement of the Chair of the Audit & Governance Committee, to appoint members of the Independent Remuneration Panel for Members' Allowances and be able to extend their term of office.

Should the Chief Executive consider that the appointment of any Independent Remuneration Panel member for the Members' Allowances Scheme be changed or terminated, the Chief Executive will consult with the Chair of the Audit & Governance Committee prior to making a final decision".

5. OPTIONS / ALTERNATIVES CONSIDERED

- 5.1. No feasible alternative options exist. The terms of office of the Panel need to be extended to allow the Panel to start its next review of the Members' Allowances Scheme following the District Elections in May 2023.

6. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER

- 6.1. The report has no financial implications.

7. RISK ASSESSMENT CONSIDERATIONS

- 7.1. No risk assessment considerations are necessary.

8. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

- 8.1 The legal and governance implications of this decisions are set out within the body of the report.

9. HUMAN RESOURCES IMPACT

- 9.1 No impact assessment is necessary.

10. HEALTH & SAFETY IMPACT

- 10.1 No impact assessment is necessary.

11. PROPERTY & ESTATES IMPACT

- 11.1 No impact assessment is necessary.

12. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

- 12.1 No impact assessment is necessary.

13. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

- 13.1 No impact assessment is necessary.

14. CRIME AND DISORDER REDUCTION IMPACT

- 14.1 No impact assessment is necessary.

15. HUMAN RIGHTS IMPACT

- 15.1 No impact assessment is necessary.

16. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

- 16.1 No impact assessment is necessary.

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BACKGROUND DOCUMENTS: None