

Open report on behalf of Richard Wills Executive Director responsible for Democratic Services

Report to:	County Council
Date:	19 May 2017
Subject:	Recommendations from the Independent Remuneration Panel

Summary:

This report invites the Council to agree the Council's Members Allowances Scheme and the Special Responsibility Allowances available to the Chairman and Vice-chairman of the Council's Scrutiny Panels following the recommendations of the Independent Remuneration Panel; and amend Part 6 of the Constitution accordingly.

Recommendation(s):

1. That the Chairman of the Scrutiny Panels be eligible for a Special Responsibility Allowance in Band 6 of the Council's Members' Allowance Scheme.
2. That the Vice-chairman of the Scrutiny Panels be eligible for a Special Responsibility Allowance of one third of Band 6 of the Council's Members' Allowances Scheme.
3. That the Members' Allowances Scheme attached at Appendix A be agreed for 2017/18.

1. Background

1.1 Following a review of the scrutiny arrangements of the County Council a new scrutiny structure has been agreed.

1.2 This new structure includes a reduction in the number of scrutiny committees, but added to the structure are two scrutiny panels to carry out detailed scrutiny work as and when required.

1.3 The work of the panels will be instigated by one of the Council's scrutiny committees, and will require approval from the Overview and Scrutiny Management Board.

1.4 The Panels will comprise of up to eight non-executive members of the authority, selected with input from the Chairman of the Panels. The intention is that the panels will be politically inclusive.

1.5 Council agreed that the standing Chairmen and Vice-chairmen of these scrutiny panels should be appointed annually and should be eligible for Special Responsibility Allowances (SRAs) within the Council's Members' Allowances Scheme.

1.6 In accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003, the Council agrees any changes to the Members' Allowances Scheme, following recommendations from the Independent Remuneration Panel (IRP).

1.7 The IRP met to consider at what level the SRA for scrutiny panel chairmen and vice-chairmen should sit.

1.8 After due consideration, the Panel recommended that the chairmen of these Panels should be eligible for an SRA at Band 6 of the Members Allowances Scheme (£8,257.84); and the Vice-Chairmen should be eligible for an SRA of a third of that figure (£2,752.61).

1.9 The Panel felt the potential level of detail in the work and frequency of meetings warranted a band similar to that of scrutiny committee chairmen and vice-chairmen, but their rationale for a slightly lower SRA was based on the fact that the Panel chairmen would be chairing groups of three fewer councillors. They accepted that there would be an early chance to review this position as part of the IRP's four-yearly review in the autumn of this year.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- * Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- * Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- * Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- * Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic

* Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it

* Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

No adverse impact has been identified during an Equality Impact Assessment.

Joint Strategic Needs Analysis (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

There are no implications for the JSNA or JHWS in relation to approval of the recommendations in this report.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

There are no implications in relation to Crime and Disorder from acceptance of the recommendations in this report.

3. Conclusion

The Council has agreed that the Chairmen and Vice-Chairmen of the new scrutiny panels should be eligible for a Special Responsibility Allowance. The Independent Remuneration Panel has considered that decision and recommended that the above SRAs be included in the Members' Allowances Scheme.

4. Legal Comments:

The Council may amend the Scheme of Members Allowances at any time. In determining whether to amend the Scheme the Council must have regard to the recommendations of the Independent Remuneration Panel. Approval of the Scheme and the making of any amendments to the Scheme are reserved to the full Council.

5. Resource Comments:

The cost of accepting the recommendations in this report should be contained within the current year's budget provision for members' allowances. The adequacy of that provision going forward will be reviewed as part of future budget cycles.

6. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

n/a

c) Scrutiny Comments

n/a

d) Have Risks and Impact Analysis been carried out?

n/a

e) Risks and Impact Analysis

n/a

7. Appendices

These are listed below and attached at the back of the report

Appendix A	Proposed Members' Allowances Scheme 2017/18
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8. Background Papers

Document title	Where the document can be viewed
Report to Council – 16 December 2016 "Review of Scrutiny"	Democratic Services and LCC website

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