

**Report of the Independent Remuneration Panel to the
West Northamptonshire Shadow Authority**

1. Introduction

- 1.1. The Northamptonshire (Structural Changes) Order 2020 (the Structural Changes Order) as amended contains specific provisions regarding Members allowances for the Shadow Council and the new West Northamptonshire Council after 2021. The Structural Changes Order applies regulations relating to Members' Allowances to the Shadow Council with modifications. The Structural Changes Order as amended requires the Shadow Council to:
- a) Formulate proposals for the Scheme of Members' Allowances to be adopted by the Shadow Council; and
 - b) Prepare and adopt a Scheme for the payment of such allowances; and
 - c) Formulate proposals for the Scheme of Members' Allowances to be adopted by the West Northamptonshire Council
- 1.2. The Structural Changes Order applied the Local Authorities (Members' Allowances) (England) Regulations 2003 to the West Northamptonshire Shadow Council and its Members, in the same way that the regulations apply to County and District Councils and its Members. The Local Authorities (Members' Allowances) (England) Regulations 2003 put in practice a consolidated and simplified framework for allowances that covers Principal Councils and Parish and Town Councils. It is highlighted however that the Order does not, however extend these Regulations to cover a review of Parish Council allowances.
- 1.3. Part 4 of the Regulations makes provision for the establishment of an Independent Remuneration Panel to make recommendations concerning Allowances. It is for the West Northamptonshire Shadow Authority to determine its Allowances Scheme, but the Shadow Council does have a legal duty to take account of the recommendations of the Independent Remuneration Panel (the Panel).

2 Background

- 2.1 The Panel was formally set up by the West Northamptonshire Shadow Authority at its inaugural meeting on 2 June 2020 with the following remit:
- i. meet as appropriate, with support of the interim Monitoring Officer;
 - ii. consider the provisions which apply to members' allowances for the Shadow Authority, the roles of members of the Shadow Authority, including special responsibilities and make appropriate recommendations to the Shadow Authority;
 - iii. consider the provisions which apply to members' allowances for the West Northamptonshire Council, the roles of members of the West Northamptonshire Council, including special responsibilities and make appropriate recommendations to the Shadow Authority;
 - iv. report to the Shadow Authority in relation to the matters at ii. and iii.
- 2.2 The Panel comprises John Cade (Chair), Professor Ann Tate, Alan Haynes and Colin Robinson. Previously the Director of Scrutiny with Birmingham City Council, John is now a member of the Institute of Local Government Studies at the University of Birmingham and also chairs several other Independent Remuneration Panels, including that of Northampton

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Borough Council. Ann is the Chair of the Board at Arden University, previously the Vice-Chancellor at the University of Northampton, Ann also served as a Board member of the Higher Education Funding Committee for England. Ann is a member of South Northamptonshire Council's Independent Remuneration Panel. Alan qualified as a Chartered Engineer and had various roles in the railway industry, including roles associated with Health and Safety. Alan retired in 2006 and since 2013 has been appointed to one of the two Independent Persons to the Standards Committee at Northampton Borough Council and is the Chair of the Independent Remuneration Panel for Northamptonshire County Council. Colin is a retired Civil Service Inspector and a member of the Independent Remuneration Panel for Daventry District Council.

All members of the Panel are therefore experienced in Independent Remuneration Panel work.

2.3 The Panel met remotely on 29 June 2020 and was provided with background data to assist it in forming its recommendations for a Members' Allowance Scheme for the West Northamptonshire Shadow Authority:

- Roles and Responsibilities of the West Northamptonshire Shadow Authority, Shadow Executive, Portfolio Holders, Shadow Overview and Scrutiny Committee, the Senior Appointments Committee and the Standards Committee.
- Current Schemes of Member Allowances for each of the four Sovereign Councils: - Daventry District Council, Northampton Borough Council, South Northamptonshire County and Northamptonshire County Council.
- Details of the Councillors appointed to roles of special responsibility to West Northamptonshire Shadow Council
- Travel, subsistence and dependency allowance schemes of the four Sovereign Councils

3 Key Findings and recommendations

The Panel considered the information provided to it as detailed at paragraph 2.3 above and makes the following recommendations to West Northamptonshire Shadow Authority:

3.1 Basic Allowance

Regulation 4 Local Authorities (Members' Allowances) (England) Regulations 2003 provides as follows:

(1) An authority shall: -

(a) make a scheme in accordance with these Regulations which shall provide for the payment of an allowance in respect of each year to each member of an authority, and the amount of such an allowance shall be the same for each such member ("basic allowance"); and

(b) pay basic allowance and any other allowance permitted by these Regulations only in accordance with such a scheme.

In relation to Councillors' Scheme of Allowances, the constitution of the West Northamptonshire Shadow Authority states:

“10 Shadow Councillors’ Scheme of Allowances

10.1 Shadow Councillors shall be entitled to receive such allowances as are laid down from time to time in the Shadow Councillors’ Scheme of Allowances.”

In considering the information provided to it regarding the role of the Shadow West Northamptonshire Councillor, the Panel notes the key roles as:

- (a) as a body, they will: set the Shadow Council’s major plans, policies and strategies as required by law; perform those functions identified in the 2020 Order; and take decisions on such matters as must be reserved to the full Shadow Council by law or as provided for in this Constitution;
- (b) oversee the Shadow Council’s strategic and corporate management;
- (c) represent their communities and the views of their electorate in the decision making process;
- d) support, as appropriate, individuals in their dealings with the Shadow Council and represent them in seeking to resolve particular concerns or grievances;
- (e) balance the different interests of people within their constituency with a view to representing their constituency as a whole;
- (f) participate, as appropriate, in the decision-making, and overview and scrutiny processes; and
- (g) maintain the highest standards of conduct and ethics and observe the Shadow Council Members’ Code of Conduct.

The Panel further notes that the West Northamptonshire Shadow Authority will not be delivering services. All Members of the West Northamptonshire Shadow Authority receive a basic allowance from their respective Sovereign Councils and the Panel considers that the roles of the West Northamptonshire Shadow Councillor will be covered by the basic allowance provided by the relevant Sovereign Councils.

The Panel therefore recommends that the basic allowance paid to Members of the West Northamptonshire Shadow Authority to be set at zero.

3.2 Special Responsibility Allowances (SRAs)

Information provided to the Panel details that Shadow Authorities elsewhere agreed that SRAs would be kept to a minimum. The Panel further notes, that with the exception of the Chair of the Shadow Overview and Scrutiny Committee and the Chair and Vice Chair of the West Northamptonshire Shadow Authority, all Shadow Council Members with a role of special responsibility, are in receipt of an SRA from the Sovereign Council by whom they have been nominated. The Panel addresses each of the special responsibilities as detailed below:

3.2.1 Chair and Vice Chair of the West Northamptonshire Shadow Authority

The Panel recognises that chairing a meeting of the West Northamptonshire Shadow Authority could be complex and should therefore attract an allowance. It is anticipated that the Shadow Council will meet just four times during the Shadow period and the Shadow Council will receive the support of Officers. Although the terms of reference for the Chair of the West

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Northamptonshire Shadow Authority includes a civic role on behalf of the Shadow Council, the Panel agrees that civic roles would continue to be undertaken by the relevant Mayors and Chairman of the Sovereign Councils. The role of Chair of the West Northamptonshire Shadow Authority should attract an SRA for the Shadow period.

The role of the Vice Chair of the West Northamptonshire Shadow Authority is to support the Chair in his civic duties and carry out civic duties as well on behalf of the Civic Office. It is not expected that such civic duties will be undertaken. The Vice Chair is also expected to deputise in the absence of the Chair in carrying out the responsibilities of the Office of Chair. The Panel agrees that the role of Vice Chair of the West Northamptonshire Shadow Authority should not attract an SRA for the Shadow period.

The Panel therefore recommends that the SRA for the Chair of the West Northamptonshire Shadow Authority be set at £5,000 per annum and to be set at zero for the Vice-Chair for the Shadow period.

3.2.2 Leader and Deputy Leader of the West Northamptonshire Shadow Authority

The Panel recognises the significance of the roles of the Leader and Deputy Leader of the Shadow Council and the time commitment expected. The Panel highlights that the Leader and Deputy Leader of the Shadow Council are both in receipt of an SRA from the Council by whom they have been nominated.

The Panel recommends that the SRA paid to the Leader and Deputy Leader of the West Northamptonshire Shadow Authority for the Shadow period be set at zero.

3.2.3 Members of the Shadow Executive

The Panel recognises that the Shadow Executive will have no executive responsibility for service delivery during the Shadow period and Members of the Shadow Executive will act as a collective rather than exercising individual executive responsibility. The Shadow Executive is made up of Leaders, Deputy Leaders and a Portfolio Holder of the four Sovereign Councils, all of which are in receipt of an SRA from the Council by whom they have been nominated.

The Panel recommends that the SRA paid to the Members of the Shadow Executive of the West Northamptonshire Shadow Authority for the Shadow period be set at zero.

3.2.4 Chair of the Shadow Standards Committee

The Panel recognises that the Chair and Deputy Chair of the Shadow Standards Committee are both in receipt of an SRA from the Council by whom they have been nominated.

The Panel recommends that the SRA that is paid to the Chair and the Deputy Chair of the Shadow Standards Committee be set at zero.

3.2.5 Chair of the Shadow Senior Appointments Committee

The Panel recognises that the Chair and Deputy Chair of the Shadow Senior Appointments Committee are both in receipt of an SRA from the Council by whom they have been nominated.

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The Panel recommends that the SRA paid to the Chair of the Shadow Senior Appointments Committee be set at zero.

3.2.6 Chair of the Shadow Overview and Scrutiny Committee

The Chair of the Shadow Overview and Scrutiny Committee is not in receipt of an SRA from either Sovereign Councils (Northampton Borough Council and Northamptonshire County Council) that she is a member of.

In considering the SRA for the Chair of the Shadow Overview and Scrutiny Committee, the Panel notes the SRAs paid from the Sovereign Council for this role:

Daventry District Council	£6,213
Northampton Borough Council	£6,462.76
Northamptonshire CC	£8,853
South Northants Council	£4,308

The Panel agrees that it would be appropriate to recommend an average of the SRAs for the Chairs of the Overview and Scrutiny Committee from the four Sovereign Councils for the Chair of the Shadow Overview and Scrutiny Committee. This equates to an estimated amount of £6,459.

The Panel recommends that an SRA to be paid to the Chair of the Shadow Overview and Scrutiny Committee be set at £6,459 for the Shadow period.

3.3 Travel and Subsistence and dependant carer's allowance

The Panel recognises that the four Sovereign Councils acknowledge duties undertaken by Members of the West Northamptonshire Shadow Authority as an approved duty. Therefore, any travel, subsistence and dependant carer's allowance claims can be made in accordance with the Schemes in operation by each of the Sovereign Councils.

The Panel therefore recommends that any travel, subsistence and dependant carer's allowance claims is be made in accordance with the Travel, Subsistence and Dependant Carer's Schemes in operation by each of the four Sovereign Councils.

John Cade

Chair, Independent Remuneration Panel

