

WEST NORTHAMPTONSHIRE SHADOW AUTHORITY

SHADOW AUTHORITY

18 August 2020

Report Title	SCHEME OF MEMBERS' ALLOWANCES 2020/2021
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1. Purpose

- 1.1 The purpose of this report is to seek the Shadow Authority's approval of the Members' Allowances Scheme for 2020/21, as attached at Appendix B, to the period ending 31 March 2021, in order to comply with the requirements of the Northamptonshire (Structural Changes) Order (the Structural Changes Order), and having regard to the recommendations made by the Independent Remuneration Panel (the Panel).

2. Recommendations

- 2.1 It is recommended that: -
- 2.1.1 The Shadow Authority has regard to the recommendations made by the Independent Remuneration Panel and the Members' Allowances Scheme at Appendix B be adopted.
- 2.1.2 The Shadow Authority delegate authority to the Interim Monitoring Officer to:
- a) make the necessary changes to the Members' Allowances Scheme in the Shadow Authority's Constitution to reflect the Shadow Authority's decision, to include the full schedule of rates and allowances and terms and conditions; and
 - b) make arrangements for the publicity that the Shadow Authority is required to undertake in accordance with Regulation 16 of the Local Authorities (Members' Allowances) (England) Regulations 2003.
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3. Issues and Choices

3.1 Report Background

3.1.1 Part 4 of the Structural Changes Order requires the Shadow Authority to prepare and adopt a scheme for the payment of allowances to its Members. In order to achieve this the Structural Changes applies the Local Authorities (Members' Allowances) (England) Regulations 2003 to the Shadow Authority and its Members in the same way that the Regulations apply to the District Councils and County Council and their Members.

3.1.2 In order to comply with the 2003 Regulations, the Shadow Authority must adopt a Scheme having regard to the recommendations of an Independent Remuneration Panel. A Panel was formally appointed by the Shadow Authority at its 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 Authority, the roles of Members of the West Northamptonshire Authority, 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

3.1.3 The Panel met on Monday 29 June 2020 and made the following recommendations:

Basic Allowance and Special Responsibility Allowances (SRA)

3.1.4 The Panel recommends that no basic allowance or special responsibility allowances shall be payable to Shadow Authority Members are set out in the report attached at 'Appendix A' and reflected in the draft Members' allowances scheme attached as 'Appendix B' subject to:

- i) The SRA for the Chair of the West Northamptonshire Shadow Authority be set at £5,000 and;
- ii) The SRA for the Chair of the Shadow Overview and Scrutiny Committee be set at £6,459 for the Shadow period.

Travel, Subsistence and Dependant Carers' Allowance

3.1.5 The Panel recommends that Members should be entitled to claim travel, subsistence and dependant carers allowances for attending Shadow Authority meetings and that these should be claimed from their own Councils. The Scheme applies for the Shadow Period, being the date of commencement of the Shadow Authority until 31 March 2021.

3.2 Issues and Choices

3.2.1 The Shadow Authority has discretion as to whether or not it accepts any of the recommendations proposed in the Panel's Report.

3.2.2 Whilst the Shadow Authority has discretion to resolve to make alterations to the Members' Allowances Scheme which may be different to those recommended by the Panel, it has a duty to have regard to the recommendations of the Panel in doing so. Members should give thorough consideration to the recommendations of the Panel to achieve compliance with this duty.

4. Implications (including financial implications)

4.1 Policy

4.1.1 When the Members' Allowances Scheme has been agreed, this will be published on the Shadow Authority's website. In addition to this, the Shadow Authority is also required by the Local Authorities (Members' Allowances) (England) Regulations 2003 to place an advert in one newspaper in circulation within the Shadow Authority area, showing the allowances that may be made to Members.

4.1.2 Members' allowances for West Northamptonshire Authority from 1 April 2021 will be reviewed by the Panel and reported to the Shadow Authority before the end of the Shadow period.

4.2 Resources and Risk

4.2.1 Budget: The budget implications should the Shadow Authority decide to introduce the special responsibility allowances (SRAs) to the Chair of the West Northamptonshire Shadow Authority and the Chair of the Shadow Overview and Scrutiny Committee during the Shadow period, as recommended by the Independent Remuneration Panel, will be £11,459 during that period.

4.2.2 Claims arising from travel, subsistence and dependent carers allowance will be met by Members' respective Sovereign Councils.

4.3 Legal

- 4.3.1 The Shadow Authority must establish an Independent Remuneration Panel whose function is to make recommendations to the Shadow Authority concerning allowances payable to Members. The Shadow Authority must have regard to the Panel's recommendations prior to making a Members' Allowances Scheme.
- 4.3.2 Regulation 16 of the 2003 Regulations states that after receiving a report from the Independent Remuneration Panel which sets out the Panel's recommendations, Local Authorities must ensure that copies of the report are available for inspection at their principal office at all reasonable hours. Local Authorities must also, as soon as reasonably practicable after they receive the report, publish a notice which:
- a) states that the Authority has received recommendations from an Independent Panel in respect of its scheme of allowances;
 - b) describes the main features of the Panel's recommendations including the amounts of allowances that the Panel has recommended should be payable to Members;
 - c) states that copies of the Panel's report are available at the authority's principal office and specifies the address of the principal office.

4 Equality and Health

- 4.1 The proposals are considered to have a neutral impact in terms of equality issues.
- 4.2 No Equality Impact Assessment has been carried out.