

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

8 JULY 2010

REPORT OF
CORPORATE
MANAGEMENT TEAM

COUNCIL DECISION/

**Leader of the Council – Councillor Lupton
Corporate Management and Finance – Lead Cabinet Member – Councillor Laing**

MEMBERS' ALLOWANCES SCHEME 2011/12

1. Summary

The purpose of this report is to recommend the Members' Allowances Scheme for 2011/12 to Council for approval.

2. Recommendations

It is recommended to Council that there be no increase in Members allowances and that the existing scheme be agreed as the Council's Members' Allowances Scheme for 2011/12.

3. Reasons for the Recommendations

To ensure that a Members' Allowances Scheme is agreed and in place for 2011/12 as required by the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended).

4. Members Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same

purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;

- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

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Councillor Laing**

MEMBERS' ALLOWANCES SCHEME 2011/12

Summary

The purpose of this report is to recommend the Members' Allowances Scheme for 2011/12 to Council for approval.

RECOMMENDATION

It is recommended to Council that there be no increase in Members allowances and that the existing scheme be agreed as the Council's Members' Allowances Scheme for 2011/12.

DETAIL

1. Following a further review by the Authority's Remuneration Panel on 19 June 2008, Cabinet asked Council to consider options for Allowances Schemes for 2008/09, 2009/10 and 2010/11.
2. The Scheme agreed for 2010/11 will come to an end on 31 March 2011. The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) ("the Regulations") require Local Authorities to agree their Allowances Scheme for future years prior to the 1 April in each year. Council will, therefore, have to agree an Allowances Scheme for 2011/12 before 1 April next year.
3. Provided that neither Cabinet, nor Council wishes to change or add to the current 2010/11 Allowances Scheme, it will be possible to agree that Scheme as the Scheme for 2011/12, without the requirement for any further review of allowances by the Remuneration Panel.
4. The recommendation to Cabinet is that Council be asked to agree the existing Scheme, as the Authority's Members' Allowances Scheme for 2011/12.

FINANCIAL AND LEGAL IMPLICATIONS

Financial

5. As no change to Members' allowances is proposed there will be no additional costs for 2011/12 as the Scheme will be the same as the current Allowances Scheme.

Legal

6. If Council agrees Cabinet's recommendation, the Authority will have complied with the statutory requirements under the allowances Regulations.

RISK ASSESSMENT

7. The matters referred to in this report are classed as low risk.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

8. Establishing appropriate levels of remuneration for Members is a key feature of the Council's organisational and operational effectiveness.

EQUALITY IMPACT ASSESSMENT

9. No assessment is considered necessary. There are no policy or service changes involved.

CONSULTATION

10. Prior discussions have been held with all political Group Leaders and with the relevant Cabinet Member. This report will also be accessible to all Council Members.

Director of Law & Democracy

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<u>Background Papers:</u>	None
<u>Ward(s) and Ward Councillors:</u>	Not Ward specific
<u>Property Implications:</u>	No implications