

## CABINET ITEM COVERING SHEET PROFORMA

**AGENDA ITEM**

**REPORT TO CABINET**

**12 JANUARY 2012**

**REPORT OF  
CORPORATE  
MANAGEMENT TEAM**

### **COUNCIL DECISION**

**Leader of the Council** – Councillor Cook

**Corporate Management and Finance** – Lead Cabinet Member – Councillor Harrington

#### **MEMBERS' ALLOWANCES**

1. Summary

The report provides details of the Independent Members' Allowances Remuneration Panel's ("the Panel") report following the previous decision in July last year to ask the Panel to review Stockton's Members' Allowances with a view to making any recommendations for 2011/12 and for 2012/13.

2. Recommendations

It is recommended that the Panel's report be considered and that the Panel be thanked for their work.

3. Reasons for the Recommendations/Decision(s)

The Members' Allowances Regulations require local authorities to revise existing Schemes and make new Schemes following a review by and consideration of recommendations from an Independent Remuneration Panel.

At the Council's request the Panel has undertaken a review of allowances and has made recommendations as regards the same.

The Council is required to consider the Panel's report and recommendations.

4. Members'

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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**SUMMARY**

The report provides details of the Independent Members' Allowances Remuneration Panel's ("the Panel") report following the previous decision in July last year to ask the Panel to review Stockton's Members' Allowances with a view to making any recommendations for 2011/12 and for 2012/13.

**RECOMMENDATIONS**

It is recommended that the Panel's report be considered and that the Panel be thanked for their work.

**DETAIL**

1. As a result of a report to Cabinet on 14 July 2011, a new Independent Remuneration Panel was established with Council's approval and the Panel was asked to review Stockton's Members' Allowances, with a view to making any recommendations for 2011/12 and for 2012/13.
2. The Panel has now concluded its review and its report is attached for consideration.
3. Members are asked to consider the Panel's report and, in particular, its recommendations at paragraph 5 on page 10. Council will consider any recommendations from Cabinet at its meeting on the 18 January.

**FINANCIAL IMPLICATIONS**

4. The financial implications of the Panel's recommendations for 2011/12 and for 2012/13 are set out at paragraph 4 of the attached report, on page 9.

**LEGAL IMPLICATIONS**

5. The review by the Panel, Cabinet and Council's consideration of the Panel's report, and decisions regarding the Authority's allowances schemes, taking account of the Panel review are all statutory requirements. The Authority is therefore complying with its legal obligations pursuant to this report.

## **RISK ASSESSMENT**

6. The issues identified within this report are categorised as low to medium risk.

## **SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS**

7. Establishing the appropriate level of remuneration for Members' representational and advocacy roles in executive arrangements is an important element of the modernisation agenda for local government. Independent Remuneration Panels are integral to that process and the matters highlighted in the report are key features of the Members' Allowances Regulations and related guidance.

## **EQUALITY IMPACT ASSESSMENT**

8. An equality impact assessment is not considered to be necessary.

## **CONSULTATION INCLUDING WARD/COUNCILLORS**

9. Copies of this report will be made available to all Members. Consultation with all Members, in writing, was carried out on behalf of the Panel and the Panel also had one to one meetings with a number of Members, including Group Leaders. The Panel's report has also been circulated to Group Leaders in advance of the Cabinet meeting.

**Name of Contact Officer:** David E Bond  
**Post Title:** Director of Law and Democracy  
**Telephone No.** 01642 527060  
**Email Address:** [david.bond@stockton.gov.uk](mailto:david.bond@stockton.gov.uk)

<u>Background Papers</u>	The Panel Report
<u>Ward(s) and Ward Councillors:</u>	Not Ward Specific
<u>Property</u>	None