



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Council

28 September 2023

Report of Karen Bradford, Chief Executive

Report of the Council's Independent Remuneration Panel

Report Author

Graham Watts, Assistant Director of Governance and Monitoring Officer

 Graham.watts@southkesteven.gov.uk

Purpose of Report

To consider the content of a report of the Independent Remuneration Panel following the undertaking of a mini-review into the Council's Members' Allowances Scheme.

Recommendations

That Full Council:

- 1) Notes the content of the report.
- 2) Approves the rate of £2,865 per annum for the position of Chairman of the Standards Committee as a Special Responsibility Allowance and that this be reflected in the Members' Allowances Scheme.
- 3) Approves the rate of £945 per annum for the position of Vice-Chairman of the Standards Committee as a Special Responsibility Allowance and that this be reflected in the Members' Allowances Scheme.
- 4) Instructs the Monitoring Officer to allocate the Opposition Group Leaders' Special Responsibility Allowance to the Leader of the South Kesteven Coalition Group, backdated to 18 May 2023 as the date of the Annual Meeting of the Council.

Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	High performing Council
Which wards are impacted?	All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 Full Council agreed a temporary Special Responsibility Allowance for the Chairman and Vice-Chairman of the Standards Committee at its meeting on 18 May 2023 to reflect the rate paid to the same positions associated with the former Constitution Committee. Any deviation from these amounts can be met from within the existing budget for Members' allowances.
- 1.2 The Special Responsibility Allowance associated with Opposition Group Leaders has been frozen until confirmation is received from Council as to how this should be distributed. This amount has been budgeted for and so there are no additional financial implications arising from consideration of this matter.

Completed by: Richard Wyles, Deputy Chief Executive and s151 Officer

Legal and Governance

- 1.3 Full Council is required to take into account considerations and recommendations of the Council's Independent Remuneration Panel before taking any decisions in respect of the Members' Allowances Scheme.
- 1.4 All Members of the Council have a dispensation associated with approving the Members' Allowances Scheme, meaning that there is no requirement to declare an interest and enabling them to participate fully in the debate and vote. Special Responsibility Allowances are set for positions of additional responsibility on the Council and should not be attributable to individuals when approving the Members'

Allowances Scheme. Any individual Member could still opt to remove themselves from the debate and vote should they deem it appropriate and necessary to do so.

Completed by: Graham Watts, Assistant Director of Governance and Monitoring Officer

2. Background to the Report

- 2.1 At the Annual Meeting of the Council the Standards Committee was introduced to the Council's decision-making and governance structure. A temporary Special Responsibility Allowance was set for the Chairman and Vice-Chairman of the Standards Committee, subject to consideration of the Special Responsibility Allowance for these positions by the Independent Remuneration Panel.
- 2.2 The political makeup of the Council changed following local elections in May 2023 to a position of no overall political control. A new Leader of the Council was elected from a minority political group which raised questions as to how the Opposition Group Leaders' Special Responsibility Allowance should be distributed given that there were multiple political groups on the Council who were not officially aligned to form an administration. The Independent Remuneration Panel was requested to consider this issue as part of its mini-review.

3. Key Considerations

- 3.1 The Independent Remuneration Panel commenced its review on 10 July 2023 by holding evidence gathering sessions whereby certain Members of the Council were invited to meet with the Panel or submit written representations on the scope of the review, as set out in paragraphs 2.1 and 2.2 above. Those Members invited included:
- Leader of the Council
 - Deputy Leader of the Council
 - All Political Group Leaders
 - Chairman of the Standards Committee
 - Vice-Chairman of the Standards Committee
 - The Chief Executive
- 3.2 Further to this invitation, representations were received from Councillors Ashley Baxter, Harrish Bisnauthsing, Richard Cleaver, Patsy Ellis, Graham Jeal, Vanessa Smith, Lee Steptoe and Sarah Trotter either in person or via written correspondence. The Chief Executive also met with the Panel.
- 3.3 Taking into account background information supplied by the Council's Assistant Director of Governance and evidence collated as part of the evidence gathering session or written representations, the Independent Remuneration Panel reached the following conclusions:

Special Responsibility Allowances for the Chairman and Vice-Chairman of the Standards Committee

- 3.4 An interim Special Responsibility Allowance for the Chairman and Vice-Chairman of the Standards Committee, in consultation with the Chairman of the Independent Remuneration Panel, was set by Full Council at its Annual Meeting on 18 May 2023 when the Standards Committee was established as part of the authority's committee structure. This was based on the Special Responsibility Allowances associated with the former Constitution Committee which was removed from the Council's committee structure at the same meeting.
- 3.5 Given that the Standards Committee is new and its workload is unknown at this stage, the Independent Remuneration Panel was satisfied that the Special Responsibility Allowances set by Full Council on 18 May 2023 for the positions of Chairman and Vice-Chairman of the Committee should be retained. It was noted, however, that this could be re-visited at any time should it become apparent that the workload of the Committee was more significant than that of the former Constitution Committee in terms of activity levels.

Opposition Group Leaders' Special Responsibility Allowance

- 3.6 The results of the local elections and subsequent Annual Meeting of the Council in May 2023 saw a significant change in the Council's political proportionality and administration of the Council. The South Kesteven Coalition Group, consisting of 24 Conservative Councillors and three Independent Councillors, established a political group called the South Kesteven Coalition Group. Representatives of the remaining minority political groups on the Council voted in favour of Councillor Richard Cleaver (Democratic Independent Group) who was elected as Leader of the Council at the Annual Meeting.
- 3.7 Councillor Cleaver formed a Cabinet consisting of Members from minority groups on the Council, forming a new administration. It should be noted, however, that the minority political groups on the Council are not formally aligned and are separate, individual political groups in their own right.
- 3.8 The Constitution is silent on the designation of the Leader of the Opposition. Traditionally at South Kesteven District Council, the Leader of the largest political group is elected as the Leader of the Council with other political group leaders acknowledged as 'Opposition Group Leaders', with the leader of the largest opposition group being designated as 'Leader of the Opposition'. The Special Responsibility Allowance would therefore be allocated on a pro-rata basis to all Opposition Group Leaders.
- 3.9 Given that Cabinet Members are appointed as individuals and no official coalition has been established between the respective minority groups, the Monitoring Officer cannot make an assumption that all minority groups by default are

considered as 'the administration'. The Labour and Co-operative Group as a minority group, for example, do not have any representatives on Cabinet. Confirmation was therefore sought as to how the Opposition Group Leaders' Special Responsibility Allowance should be distributed in these unprecedented circumstances.

- 3.10 The Independent Remuneration Panel addressed this issue by considering how the administration was formed. It concluded that the administration was formed by all Councillors in minority political groups voting in favour of Councillor Richard Cleaver as Leader of the Council. It is therefore the recommendation of the Independent Remuneration Panel that the Leader of the South Kesteven Coalition Group should receive the full Opposition Group Leaders' Special Responsibility Allowance.
- 3.11 The Independent Remuneration Panel's full report is attached at **Appendix A**. Mr John Cade, Chairman of the Independent Remuneration Panel, will be in attendance at the meeting of Full Council on 28 September 2023 to present the Panel's report.
- 3.12 Full Council must give due regard to the recommendations of the Independent Remuneration Panel's report prior to taking any decisions on the Council's Members' Allowances Scheme.
- 3.13 Full Council can only make amendments to the Members' Allowances Scheme at this meeting on those matters which were the subject of the Independent Remuneration Panel's mini-review.

4. Other Options Considered

- 4.1 To maintain the rates in the current Members' Allowances Scheme.
- 4.2 To make amendments to the Special Responsibility Allowances associated with the Chairman and Vice-Chairman of the Standards Committee.
- 4.3 To agree an alternative approach to the distribution of the Opposition Group Leaders' Special Responsibility Allowance.

5. Reasons for the Recommendations

- 5.1 To ensure that the Members' Allowances Scheme is fit for purpose and that Full Council gives full consideration to recommendations of the Independent Remuneration Panel.

6. Consultation

- 6.1 All Members of the Council were invited to meet with the Independent Remuneration Panel as part of the mini-review of the Members' Allowances Scheme. Full details of their participation are set out in the Independent Remuneration Panel report.

7. Appendices

- 7.1 Appendix A – Report of the Independent Remuneration Panel.