

The Welland Partnership Members Remuneration Panel

Report to South Kesteven District Council Meeting

1. Purpose of Report

- 1.1 This Report has been prepared by the Independent Panel set up to make recommendations and provide guidance to the Council in respect of its scheme for Members' allowances.
- 1.2 The Report sets out the Panel's recommendations for the Council's consideration.

2. Framework

- 2.1 The Local Government (Members' Allowances) 2003 Regulations put in place a consolidated and simplified framework for allowances that covers Principal Councils and Parish and Town Councils.
- 2.2 Part 4 of the Regulations makes provision for the establishment of an Independent Panel to make recommendations concerning allowances, travel and subsistence and carers' provision. The Welland Remuneration Panel, comprising John Cade (Chairman), John Greenwood, Ian Davis and Gordon Wells, is compliant with the necessary arrangements. John Cade, Ian Davis and Gordon Wells undertook this review.
- 2.3 A Council is unable to revoke or amend its scheme of allowances without first considering the recommendations of an Independent Panel. Whilst the Council is not bound by the recommendations of the Panel, there is a duty placed upon it to consider the recommendations, publish the Panel's recommendations and publish its Scheme.

3. Context

- 3.1 We were advised that two matters had arisen since we undertook your last 4 yearly review in 2022. The first related to a review of your Committee structure undertaken prior to this May's local elections; the second a consequence of that electoral outcome.
- 3.2 We have, therefore, undertaken what we term a 'mini-review' of these two matters.
- 3.3 The first matter required us to consider an appropriate Special Responsibility Allowance (SRA) for the Chairman and Vice-Chairman of the Standards Committee.
- 3.4 The second matter was to consider the Special Responsibility Allowance (SRA) for the Opposition Leader(s).
- 3.5 We invited the Leader of the Council, Deputy Leader, all Political Group Leaders, the Chairman and Vice-Chairman of the Standards Committee and the Chief Executive to give evidence.
- 3.6 At our evidence giving session on 10th July 2023 we met with the Leader of the Council, Deputy Leader, Vice-Chairman of the Standards Committee and the Co-Convenor of the Green Party Group.
- 3.7 Written representations were also received from the Leader of the South Kesteven Coalition Group, Leader of the Labour and Cooperative Group, Leader of the Liberal Democratic Group and the Co-Convenor of the Green Party Group.
- 3.8 Throughout our work we received excellent support from your Assistant Director of Governance and Monitoring Officer.

4. Findings

4.1 SRA for Chairman and Vice-Chairman of Standards Committee

- 4.1.1. Prior to your Annual General Meeting (AGM) your Assistant Director of Governance and Monitoring Officer contacted me to say that a new Standards Committee had been established and it would be helpful to have an indication of the relevant allowances.
- 4.1.2. I explained that there was no provision for a 'Chairman's action' but that I could provide an indication of what I thought would be appropriate, subject to it being subsequently looked at by the Panel.
- 4.1.3. We settled on proposing SRAs at the same level as those for the Constitution Committee which are: 0.45 of the Basic Allowance for the Chairman and 0.33 of this SRA for the Vice-Chairman.
- 4.1.4. When we discussed this at our evidence giving session there was a common reflection that whilst this was undoubtedly an important Committee it was impossible to gauge its workload at this time.
- 4.1.5. We have, therefore, taken the view that the SRAs should remain at their current level, but with the understanding that these can be revisited if the activity level merits it.

4.2 SRA for Opposition Leader(s)

- 4.2.1. The political make-up of your Council changed significantly at your all-out local elections held on 4th May 2023. Our understanding is that the political balance of the Council is now as follows:

South Kesteven Coalition Group	(24 Cons., 3 Ind.)	27
Grantham Independent Group		7
Democratic Independent Group		7
Independent Group		5
Green Party Group		4
Liberal Democrat Group		4
Labour and Cooperative Group		2

- 4.2.2. At your AGM on 18th May 2023, Councillor Cleaver of the Democratic Independent Group was elected Leader of the Council. He subsequently appointed a Cabinet which includes representatives from all political groups except for the South Kesteven Coalition Group and the Labour and Cooperative Group.
- 4.2.3. The question which is asked of us in this scenario is who comprises the Opposition.
- 4.2.4. The Government's 2003 Regulation states:
- “Where one political group is in control and where an Authority has decided to pay special responsibility allowances, the Authority MUST make provision for the payment of a special responsibility allowance to at least one member of a minority group.”
- 4.2.5. Your Constitution allows for this but is silent on the definition of an Opposition or the role of ‘Leader of the Opposition’.
- 4.2.6. We have addressed this matter by asking the question “How was the current ruling Administration formed?”. Our understanding is that at the AGM it received votes from all of the Groups, apart from South Kesteven Coalition Group.
- 4.2.7. So, whilst the Labour and Cooperative Group do not have places on the Cabinet that Cabinet only exists in its current form because it received their 2 votes.
- 4.2.8 Clearly, the Labour and Cooperative Group cannot be a contributor to the formation of the current Cabinet and hence the decision making body of the Council and also be part of the Opposition at the same time.
- 4.2.9. This means that the Opposition Allowance should go to the South Kesteven Coalition Group.

4.2.10. This stance is also taken by the Liberal Democrat and Green Groups. As expressed by the Co-Convenor of the Green Group in her written evidence:

“Although not formally affiliated, we, the Greens, give our support to Councillor Cleaver and would therefore not consider ourselves to be in opposition. We have not spoken to Councillor Jeal about this, but from our perspective, we would be happy for you to allocate the Opposition Group Leader’s SRA to him and would not expect any portion of this to go to us.”

4.2.11 Before concluding, however, we do need to report that in our evidence giving meeting views were expressed that Group Leaders should receive an allowance to recognise the work associated with such a rainbow coalition as now exists. We understood the point made and the Council could certainly consider this new framework although we do believe there are non-pecuniary risks involved. If you were to go down this path we could advise on appropriate allowances.

5. Recommendations

- 5.1 That the Special Responsibility Allowances for the Chairman and Vice-Chairman of the Standards Committee remain at their current levels of 0.45 of the Basic Allowance for the Chairman and 0.33 of this SRA for the Vice-Chairman.
- 5.2 That the Special Responsibility Allowance for the Opposition Group Leader(s) be allocated to the South Kesteven Coalition Group.

John Cade,
Chairman, Welland Partnership Members Remuneration Panel

July 2023